IN THE

United States Court of Appeals

FOR THE SEVENTH CIRCUIT

No. 16,498

COLUMBIA BROADCASTING SYSTEM, INC.,
Petitioner,

vs.

UNITED STATES OF AMERICA, and
FEDERAL COMMUNICATIONS COMMISSION,
Respondents.

Petition for review of an order of the Federal Communications Commission

EXHIBIT TO BRIEF FOR PETITIONER COLUMBIA BROADCASTING SYSTEM, INC.

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EXHIBIT

Collected below are excerpts from three types of programs broadcast over the CBS television network during 1966 and 1967 which contained statements that at least arguably constitute "personal attacks" under the Commission's new rules. These statements are indicated by italics.

Part I of the Exhibit consists of 31 commentaries by Eric Sevareid broadcast on the *CBS Evening News with Walter Cronkite* during a recent one-year period. We have reprinted these 31 commentaries in full to demonstrate how statements that may be "personal attacks" under the rules are an integral part of Mr. Sevareid's comments on current issues.

Part II of the Exhibit contains examples of similar statements that were made during 34 of the 85 weekly broadcasts of the CBS news interview series, *Face The Nation,* from March, 1966 to October, 1967.

Part III of the Exhibit contains more extensive excerpts from six selected news documentaries produced by CBS during 1966 and 1967 and broadcast in the *CBS Reports* series or as *CBS News Specials.* These represent examples of programs that treat all sides of important public issues fairly and objectively but which cannot keep the public fully informed without including many statements that may be "personal attacks" under the new rules. The personal qualities of individuals, particularly their honesty and integrity, are an important element in the reporting of their conduct, whenever that conduct becomes a matter of public concern. In some of the examples, a reply from the individual or group "attacked" is also carried on the same program, but as the excerpts show, it is plainly impracticable to do so every time a "personal attack" occurs.

I. ERIC SEVAREID COMMENTARIES (CBS EVENING NEWS WITH WALTER CRONKITE): NOVEMBER 22, 1966-OCTOBER 12, 1967

November 22, 1966

SEVAREID: November 22nd has become a more painful, poignant day of memory, yearly renewed, than Armistice Day or Memorial Day.

Mass tragedy becomes impersonalized after a time, but one man senselessly killed, one leader of captivating mind and personality struck down in the prime of his powers and fame, this is comprehensible tragedy and pain preserved.

This country shows few signs so far of getting over John F. Kennedy. His career in life and his moments of dying are revived like re-opened wounds in endless books and articles and pictures and in the running quarrel over the official conclusions about his murder, a quarrel ranging from scholarly, dispassionate reassessments to the most shabby, fortune-seeking literary racketeering.

Meanwhile the remarkable, indomitable Kennedy family and their friends have looked at the future and planned, very much like a government in exile as they have been called. And meanwhile, too, the man who took over the immense burden, steadied the country through the great emotional crisis, completed the social legislation President Kennedy had planned and much more besides, won election in his own right by the greatest vote in the national history, this man works at his Texas ranch and also ponders the future. He must feel a certain perplexity. After three years of extraordinary accomplishments, millions of voters have just given his party the back of their hand. And polls indicate that *a Midwest governor whose views and command of national and international problems remain obscure* could defeat Mr. Johnson were the election held today.

Back in Admiral Dewey's time, the Will Rogers of the period, Mr. Dooley, said: "Republics are not always ungrateful. Only when they give you much gratitude, do you want to freeze some of it or it won't keep." A gap has opened between President Johnson and much of the intellectual community and between him and most of the youth. The bloody and baffling Vietnam has much to do with it. But there is an additional cause for the disaffection of youth, always the most relentless of critics. They are bored when the President suggests they count their blessings. They feel only their pains. The reason is that youth is not equipped to measure from where we once were to where we are and see the progress or to measure across to other societies and see the contrasts as men of Mr. Johnson's age and experience instinctively do. Youth can measure only from now to their imagined ideals. If they could do otherwise, of couse, they wouldn't be youth and that, no doubt, would be a pity.

December 5, 1966

SEVAREID: The new wave of milling about at the University of California in Berkeley is probably symbolic of many things. Certainly symbolic of the truth that the battle between the generations like the battle between the sexes is a condition of human nature. It is ultimately unresolvable. If it were resolvable life would probably be much more boring.

An observation, of course, that does neither the striking students nor the fed-up University administration any practical good at the moment. But the distant observer does get the impression that many of the chronic demonstrators labor under the feeling that they are a "put-upon" generation. To those of middle age and older they seem, on the contrary, the most privileged college generation this

country has ever known. And maybe that's part of the basic trouble. At any rate, the class of 1917, let's say, or 1941, is not about to shed tears of sympathy for them.

Unless my history is off, the first real nationwide student protest movement was that of the thirties when the economy had broken down and fascism and war were rising in the world. We had our parades, demonstrations and mass meetings but my own memory is devoid of actions that forcibly prevented the physical functioning of the University administration, faculty or facilities. And it must have been a rare occasion in those days when passionate student believers in free speech tried to prevent others from speaking their piece as some Harvard students did to Secretary of Defense McNamara the other day.

The idea used to be that a—in the center of learning, coercion had no place; that reason and debate alone settled issues if they could be settled. The use of force can only beget the use of counter-force. It takes generations to build a university's qualities, it takes very little time to tear it down. Some Latin American universities are the best examples of the collapse of standards in both teaching and learning when control by students or government agents is allowed to expand. No law of history or nature says that the brain drain away from these Latin universities cannot be duplicated at Berkeley.

Beyond that it seems safe to say that *there is, at least, a small hard-core of students and non-student hangers-on at Berkeley who have no interest in rectifying wrongs but whose total interest, emotional or political, is in disintegration. And they have nothing concrete to replace what they want to destroy.*

December 13, 1966

SEVAREID: This political community requires constant drama to feel alive and it's been rubbing its hands in anti-

cipation of another hot time in the old town in the form of a public fight between Senator Robert Kennedy and G-man J. Edgar Hoover.

Each man is a national institution, *each possesses a powerful publicity machine, each is a gut fighter with, what is know around here, as the instinct for the jugular.* But today both men kept silence while Senator Long of Missouri announced plans to summon them next month to subcommittee hearing. The subject, of course, is the messy one of telephone wire-tapping and bugging electronic devices. Courts have been getting very concerned about the extent of this and some government prosecutions have been stalled because of the use of evidence obtained by these means.

Mr. Hoover says that Kennedy when he was Attorney General not only knew what the FBI was doing in this realm but that the practice expanded under Kennedy's tenure. Kennedy says that maybe he should have known about it but that he didn't. On the surface, at least, either the irresistible force, Mr. Kennedy, or the immovable object, Mr. Hoover, is telling less than the truth. The sub-committee hearing, if it comes off, ought to do very well in the audience ratings.

Of more importance will be the final resolution of this question of electrical and electronic snooping. It is both a moral and a Constitutional question. The Fourth Amendment says persons shall be secure against unreasonable search and seizure, so, what is reasonable. The Communications Act of 1934 forbids interception and divulgence of telephone communications. The FBI has gone on the assumption that if the communications were not divulged outside of government it was all right. Some state laws permit it if a court order is obtained in advance.

There is no federal statute covering non-telephone bugging. In '65, President Johnson issued an order prohibiting

bugging except in national security cases like spying and requiring express consent of the Attorney General. Mr. Kennedy was Attorney General before that order came along. Whether he gave blanket authority to the FBI to do what it was doing in criminal cases or whether the FBI assumed it had such authority from him, is presumably part of the current squabble.

The Long sub-committee is trying to frame new laws on this matter and the Supreme Court may soon clarify its own somewhat uncertain stand when it rules on a case challenging the New York State law which permits wire-tapping with a court order. It is one more example of the endless process of reconciling the Constitution with the realities of the technological age. A process that very often damages or enhances the reputation of public personalities.

January 3, 1967

SEVAREID: A few weeks ago the pathetic lost little creature named Jack Ruby was acting strangely in his Dallas cell. *"He's hamming it up," said the jailers. He began to breathe heavily. "A bad cold," said the jail doctors. Then he seemed really sick. "Pneumonia," said the doctors at first.*

Today Ruby died of cancer. *With rigorous, unbroken consistency Dallas officialdom fumbled to the end. Consider the record moving backwards in time: The other day Ruby's brothers smuggled a tape recorder into his hospital room right under the eyes of the policeman on constant duty.* Three months ago a higher court threw out the "murder with malice of forethought" verdict on Rudy because *his Dallas trial had been conducted so sloppily under such prejudicial conditions.* During that trial the courthouse was thrown into panic when several prisoners in the cells upstairs broke out. One of them using a pistol-like object made of soap. And on the day Ruby killed Oswald

he was allowed to mix freely with the police and reporters in the city hall basement. What was familiar was okay. The police had tipped off reporters and cameramen as to the time and place of moving Oswald to jail.

There's a first name cameraderie among Dallas authorities and all who hang about them. Jack Ruby, night joint proprietor, a quarrelsome, emotionally unstable person carried a pistol by right of a police permit to carry it.

Go back further. A few minutes after President Kennedy was killed, the policeman who ran into the Book Depository Building saw Lee Harvey Oswald in the refectory. "He's okay, he works here," said the man in charge. That was good enough for the policeman. *The man who was police chief when Oswald was killed continued in office a long time. The man who was sheriff when the absurd jail break occurred continued. So did the judge who presided over the tragic comic trial. All nice men, all well liked in Dallas. And that, so it seemed to me, at the time, was the heart of the trouble.*

Dallas is at the adolescent awkward age. It grew up too quickly. It is a metropolis in body but not yet in spirit. Government remains a personal thing as in a small town courthouse. With size and sophistication go formality, impersonality, rigid rules and standards. But Dallas officialdom hates to part with its breezy, informal, friendly, nicknaming spirit. And at the awkward age, very awkward things happen.

January 5, 1967

SEVAREID: It begins to look as if two men, not one, will dominate the scene when Congress gets back to work. President Johnson and his programs will be competing for attention with Representative Adam Clayton Powell and his woes.

Just what the House Democratic caucus will do about Powell's committee chairmanship or what the House itself may do about his seat in Congress seems very uncertain at the moment. *One thing is certain, whatever is done will not be done in an atmosphere of civic majesty, calmly and serenely proceeding to the administration of justice. It will be a donnybrook with mass meetings, packed galleries, the shaken finger and the beaten breast. Mr. Powell set the tone with his statement claiming that an enormous political conspiracy is out to get him in order to get at black people and black progress. That will be even harder to prove than the specific charges against Mr. Powell.*

Guilt is personal and most of the Congressmen who have Powell in their gun sights want to punish Mr. Powell, period. But Powell answers by doing what many an accused person has done. He generalizes himself. He transforms himself from an individual into a cause, an issue, a race, a section of humanity in history. He must win his fight, he says, in the name of coming generations of black children who will one day decide the future of this country. Translated that sentence seems to mean that Mr. Powell regards himself as the anvil on which the future shape of the United States itself will be hammered out. *Whether he reads that sentence with misty eye or mischievous grin is an open question to those who know him best. Along with the generalization ploy Powell's friends also use the singling-out ploy. This is the notion that an institution has no right to investigate or punish one man for wrongdoing when others are also suspected of wrongdoing. On this principal no policeman can grab the suspect nearest him on the grounds that other suspects are vanishing around the corner.*

The fact is that Mr. Powell singled himself out; repeatedly, so often, so publicly, over so long a time it became impossible even for fellow Congressmen who generally loathe these showdowns to sit on their hands any longer.

January 20, 1967

SEVAREID: This is Eric Sevareid.

The United States House of Representatives has by no means seen the last of Representative the Reverend Adam Clayton Powell. The betting here is that the committee of his peers who will sit in judgment will return him to his seat though not to his chairmanship. *In sum, Adam is expected to be allowed back into Eden but not to get his hands on that forbidden fruit again.*

Nor has the country heard the last of the Reverend. His direct pipeline to the Lord apparently failed him when the House was voting on his fate but he retains his pipeline to tens of thousands of his fervent followers and his voice is coming through to them loud and clear. *They remain convinced that his punishment was entirely the result of race prejudice* and he is not about to dissuade them. His recording ought to do well. *Senator Dirksen, who also implies on occasion that he is positioned just a bit closer to the right hand of the Almighty than the rest of us,* has done well with his recording. He sings of gallant men. He extols the high morality of men who exemplify the best in America.

Mr. Powell takes the opposite tack. He sings the cynic's song. All that counts is money. America has replaced the Holy Ghost in its new Trinity with God the Almighty dollar he tells his people. So get the dollars, get the green power. He is not being hypocritical here. He is not asking his followers to do something he has not been willing to do himself. That is the mark of a true leader.

His indictment of the American civilization does seem a bit sweeping. There was that little item of a civil war in which several hundred thousand Americans lost their lives and limbs because they believed slavery to be immoral.

But he has a point, nevertheless; it will not be lost on his Negro followers. It ought not be lost on white America either.

Someone recently calculated that if all Negroes in the South alone enjoyed the same education, the same opportunities to earn and to rise in their work that whites enjoy, the economy of the South would boom by an additional ten to twelve billion dollars. The great thing about green power is that it works to everybody's advantage, white or black.

January 24, 1967

SEVAREID: This phrase, *credibility gap,* has become a tiresome cliche already. But the very fact of its existence suggests that the condition is unusual. *It is unusual only in degree but I must say that in a quarter century of reporting Washington, I have never seen it in such high degree as this.*

My immediate fear is that the gap lies not only between the journalists and the truth but between our national leadership and the truth. I fear the intellectual lag. I fear that yesterday's truths are becoming today's dogma. Is Mao Tse-tung's China really to be compared with Hitler's Germany? Is Vietnam really today's Czechoslovakia? Does communism always and everywhere require physical containment or does it not have within itself its own built-in breaking mechanism, it own containment? Is it true today as the Administration believes and as seemed very true in the thirties and forties that peace and freedom are indivisible? Or is it the real truth that peace and freedom will continue to co-exist with war and tyranny as they have co-existed through most of human history? Up to what point is it the responsibility of the United States to try to renovate the economies, institutions, the ways of life of

distant and alien societies and can this, in fact, be really done? Is democracy an exportable item at all?

It is a basic faith of our foreign policy that peace, democracy and material progress are not each of them merely good in themselves but that they are interdependent. I try to find evidence from history that this may be so but I find very little. Talk of renovating, uplifting almost all the world, of creating what Secretary Rusk calls "a world order" to govern relations between the nations. But we are in and of the world with our due share of ignorance and sloth and fears, angers and prejudice, so much so that we have not been able to renovate our own society, the fearful problems of which pile higher and higher. Again and again, we have to remind ourselves of that truth that John Adams perceived as he walked this hill long ago. "Power always thinks it has a great soul." In that thought lies the secret of the terrible and sometimes fatal mistakes made by every great national power in the past. If our country is indeed the last best hope on earth, it is imperative that somehow, someway, America prove to be the exception in this long litany of power misused.

January 30, 1967

SEVAREID: The most scholarly student of foreign policy on Capitol Hill has recommenced his public seminar, open to anyone whose mind is still open to second thoughts about the vast and troublesome role of the United States as a world power. Senator Fulbright has the time and inclination to think about the fundamentals and about tomorrow while most Administration officials must fight their in and out baskets containing the passing but pressing miseries of the day.

Perhaps there was a time when a leisurely, philosophical inquiry into the fate of nations seemed a normal thing in

this capital. In today's busy world the Fulbright hearings seem incongruous and *to some observers, usually those who don't grasp the nature of the Senator's concern, he is being academic, fusty and fuzzy. To some others conscious that we are in the middle of a dangerous war he is a bothersome dog in the manger.* But there is no ideal time for a search into the national motives and if we are having a search in the middle of a war, it's because it is this war that has sparked the concern. We fight a war with no agreement about the nature of the enemy, whether it is communism in general, North Vietnam or the national power of China. And this new series of hearings has opened at a moment when the relationship of forces in the world seems to be turned upside down, vastly different from the postwar period in which the basic American policies of containment and interventionism were formulated.

As this inquiry opens the head of atheistic Communist Russia is formally calling on the Pope in Rome. As this inquiry opens the biggest nation in the world, Communist China, is tearing itself apart and may possibly collapse back into a collection of regional authorities. Our old alliances are wearing thin, our old identification with the principles of the United Nations seems to be wearing thin. Increasingly, said Senator Fulbright, today, America is becoming the sole judge of the necessity and the merit of its actions. One might add that a few years ago we knew what we were against as well as what we were for. Today we still know what we are for. What we are against, just why, just where, is the question.

February 14, 1967

SEVAREID: The CIA, Central Intelligence Agency, is a by-product of the Cold War era and America's uncomfortable, unfamiliar new role as a world military power. We

are perhaps the last big nation to get into the spy and counter-spy business in a large-scale sustained manner.

This agency has done many things well, some things badly. It is not a power unto itself as some nervous citizens think. But it does have a self-generated momentum behind it, *it does move quietly into areas and operations where its methods and usefulness are questionable to say the least.*

Last year it was revealed that some men working in the Michigan State University aid projects in Vietnam were CIA agents. Last year a research center at the Massachusetts Institute of Technology servered its financial ties with the CIA apparently to protect the Institute's reputation for integrity. At that time a Senate sub-committee studied the secret agency's role in university research. The Senators were not made aware that *for fifteen years the agency has been helping to subsidize a purely student organization, the National Student Association, a kind of confederation of campus governing groups. This has not involved research, it has probably not involved espionage, it has involved propaganda.*

When it began we were in a dangerous Cold War with Communist powers. Student conferences around the world were an instrument of Communist propaganda. Student delegates from Communist countries were chosen by those regimes and propagated the Communist line. Their amateur status was a joke, but every sophisticated person knew this. *What was not known was that some American student representatives were also being subsidized by government, through the CIA.* Many of those representatives themselves did not know this. But the amateur status of American students abroad like that of American athletes was supposed to be real and honest. It could be argued then that in this respect we have dissembled more than the Communist regimes.

This kind of operation at that level has almost nothing to do with the national security. Traditionally the CIA refuses to account to the public for its doings, pleading security, and rightly so in many cases. Today it again refuses to account publicly for its involvement in this student affair. But it may be hard put to keep its silence this time for this time *it can be fairly charged with expanding its mandate beyond reason or need.*

February 17, 1967

SEVAREID: A decade and more ago, any American had to be careful about the organizations he joined, the funds he contributed to, the public meetings he attended, the neighbors he had in his house, because the remotest connection with a Communist could ruin a person.

Today any American had better be careful about his organizations, funds, meetings and neighbors because his own government—in the form of the Central Intelligence Agency—might be involved somewhere. The god of history is obviously a humorist who loves practical jokes. When Washington can get itself into as big a lather over the secret operation of its own officials, as it got into over the secret operations of Communist enemies, it must mean something. Maybe it means that the Cold War is effectively over, the world a steadier, less dangerous place, human beings relaxing back into older, more comfortable habits. This is probably the only pleasurable lesson to be drawn from the uproar over the secret agency's involvement in the American student affairs.

Today the defense is having its day in court, so to speak. *The C. I. A. is letting out word that it was ordered to do what it did—and one can imagine its agents sobbing with grief as they accepted the hateful assignment.* Various senators and representatives on subcommittees that deal

with the C. I. A. say they knew about these operations all along and for the life of them can't see what's wrong. Mr. Allen Dulles, former C. I. A. chief, says the operations after all stopped Communists in the student area. What has stopped Communist advances among students is the same general trend that stopped Communist military, political and economic advances: their own excesses, military alliances against them; the rise of nationalism in the new countries, the magnetic attraction of prosperity in the Western nations and decisive episodes like the Cuban missile crisis and the great China-Russia schism.

Intellectual cloak-and-daggering among students has to be regarded as a wrist slap among blows for human freedom and by no means worth the compromising of organizations that stood for individual and intellectual freedom. It is the ancient argument about means and ends, about external threats to the nation's body and internal threats to its soul. *It was Adolf Hitler, if I remember correctly, who observed that a great strength of the totalitarian societies was that they obliged their enemies to imitate them.*

February 28, 1967

SEVAREID: Henry R. Luce died this morning in the new America, the arid, open, exciting Southwest, where this reporter has been spending the last few days.

Perhaps the key to this quiet, withdrawn publishing genius was his passionate curiosity about whatever was new, from a kitchen gadget to a religious conception. His mind lived constantly at the cutting edge of human thought and conduct. He may have been the greatest popularizer of ideas in this century, yet he did it without talking down to his readers.

Luce started from nothing and made a prodigious fortune. Perhaps the best description of him was that of a

friend, some time ago, who said Luce was a dreamer with a keen sense of double entry bookkeeping.

Luce was a tall, spare man with a quality of grayness about his face and dress and manner. He listened far better than he conversed. He was rather deaf and he used this as his protective device when he was bored with what was being said.

He was a visionary in the good sense of the word, with the maximum view of the United States and its potential for the human race. It was he who coined the phrase, "The American Century." Many men disapproved of his visions, not all liked the way he expressed them, but none discounted the boldness and force he put behind them.

He had a genius for choosing his reporters and writers, from courthouse cynics to poets of considerable quality. Periodically, he lost some of the most individualistic among them who objected to the system of group rewrite and what it did to their material, or who refused to write news according to a policy line handed down from the top.

His publications had a way of brushing with glamour everything they described. *Fortune* made businessmen see themselves as historic figures; *Life* brought the weekly news visually alive in a way never done before. *Time* made the most remote, provincial reader feel that he was on the sophisticated inside.

The enduring argument about Henry Luce has always centered on Time, which he labeled a news magazine. It strained in every sentence to avoid dullness, which often meant straining truth. It was a weekly casserole of intermingled fact and opinion, both fascinating and deeply disturbing when it began. Its style enlivened the language, and to some degree it caricatured the language. *Many journalists have always distrusted it;* nearly all have always read it. By any accounting, Henry Luce revolutionized journalism in this century. It took a big man to do that.

March 2, 1967

SEVAREID: Senator Robert Kennedy's great advantage in getting public response is his last name. His great disadvantage in getting response from the Johnson administration is also his last name. *If, by some magic, he discovered the perfect key for unlocking the riddle of Vietnam, President Johnson would suffer considerably before accepting it from Kennedy.* In his long and eloquent and far-reaching Senate speech today, Mr. Kennedy does not discover the magic key. He does add to the atmospheric pressure on this administration for suspending the bombing of North Vietnam. He begs that we take seriously the recommendations of Secretary General U Thant and Kosygin of Russia, who seem convinced that stopping the bombing not only can, but will, open the way to peace negotiations. Whether the president will directly acknowledge this speech at all is problematical. Secretary Rusk will respond with his familiar litany, that we must first know from the enemy what will happen if we make this concession. It seems fairly clear that Kennedy regards as the more ominous question, what will happen if we do not make this concession. And he quotes Edmund Burke: "Conciliation failing, force remains: but force failing, no further hope of reconciliation is left." So suspend the bombing, said Mr. Kennedy, tell the enemy we'll be at the negotiating table within a week. If they don't respond at once, maintain the bombing pause for a substantial period. Then re-examine the questions of bombing, and/or building some kind of wall across that country. If we get talks started, there should be an international team of observers to check on enemy moves to infiltrate and American moves to reinforce. There is no magic in his formula; he is simply saying take the chance and suspend the bombing. He thinks that what we may win is far greater than what we may lose, our professional

military, pro-bombers, notwithstanding. Mr. Kennedy employs the recent statement of Secretary of Defense McNamara, the one Kennedy appointee regarded as highly by the president as by the Kennedys, the McNamara statement that will be used again and again: "I don't believe the bombing up to the present has significantly reduced, nor would any bombing that I would contemplate in the future would significantly reduce, the actual flow of men and materials to the south."

March 3, 1967

SEVAREID: Secretary Rusk implies the Russians are sincere in wanting Vietnam ended by negotiations; but *the Russian President Podgorny, perhaps angered by the latest American intensification of the war, says that the Johnson Administration wants peace by military victory. Some United States Senators also entertain that thought from time to time; but to believe it is to believe the President guilty of an enormous duplicity.* It is also to believe that he expects victory, and soon; but he has said nothing to suggest that, and even the fiercer hawks have softened their once happy predictions.

The Senate debate yesterday, sparked by Mr. Kennedy's speech, avoided the issue of whether we should have gone into Vietnam in the first place. By the conventional wisdom around here that is a moot question, irrelevant to the problem of settling the war. But that question remains the ghost at the banquet and cannot be dismissed. The reason is that every suggestion for ending the war—withdrawal, retiring to fortified positions, destroying North Vietnam—all are related to the real value of the American stake in Vietnam. Because there is no agreement on that, there is no clearly preferable strategy. If for example Americans were overwhelmingly convinced that the integrity of South Vietnam

were essential to the security of the United States or to peace in the world, as Mr. Rusk used to suggest, then there would be very little hesitation about knocking out North Vietnam, China or the civilians notwithstanding. But we are uncertain of our course because we are uncertain of our case.

In some ways, the closest parallel to the Vietnam war is our war against Mexico in 1846. Ultimately it extended our boundaries to the Rio Grande and the Pacific Ocean, but it split the Congress, press and people as Vietnam has done. *It roused much of the intellectual community against President Polk, who was accused of duplicity and of manipulating Congress (notably by Congressman Abraham Lincoln) just as Mr. Johnson is sometimes accused.* Various West Point graduates resigned their army commissions rather than fight in the Mexican War. The young Lieutenant Ulysses S. Grant fought in the war but, according to his biographers, regretted that all his life. Vietnam is physical, intellectual, moral, political travail for the American people. But it has its precedent, if that be of any comfort.

March 7, 1967

SEVAREID: *Jimmy Hoffa, convicted by the courts, is in jail. By his drive, brains and boldness he reached one of the highest pinnacles ever attained in the American labor business and his methods cut him down. Adam Clayton Powell, convicted by the House of Representatives and fugitive from the courts, is on a sunny southern isle. By his drive, brains and boldness he reached perhaps the most powerful position ever attained by a Negro politician in this country and his methods cut him down.*

Hoffa is a primitive, a carry-over, an old-time street scrapper, surviving in an era of labor leaders with mani-

cured hands and uniformed chauffeurs. Powell is an educated, sophisticated man who could have been one of the greatest lawmakers of our time or the historic leader of the civil rights revolution. *But both men sneered at the rules which most other big men respect as they climb to the top.* And this raises the interesting question about them. Both men regard themselves as tougher and stronger than other men, and perhaps most Americans would agree. *But it can be argued that they were not strong men, but weak men. Impatience and flamboyance have nothing much to do with strength. The compulsion to win every battle, to admit no mistake, is not toughness but febrility. There are many ways to win and hold power and lasting honor in this country but all of them require a patient stamina these men did not possess. What John L. Lewis had, Hoffa did not; what Martin Luther King has, Powell did not.*

The brilliant, driving, but fatally weak personality is not new to history. Centuries ago Plutarch wrote this about the Roman half-hero Coriolanus, who lost an election: "He could not bear the affront with any patience. He had always indulged his temper and had regarded the proud and contentious element of human nature as a sort of nobleness and magnanimity. Reason and discipline had not imbued him with that solidity and equanimity which enters so largely into the virtues of the statesman. Straightforward and direct and possessed with the idea that to vanquish and overbear all opposition is the true part of bravery, and never imagining that it was the weakness and womanishness of his nature that broke out, he retired, full of fury and bitterness against the people."

March 14, 1967

SEVAREID: It is almost three years since the administration made an agreement in principle with Moscow that each nation could establish consulates in the other, out-

side of their respective capital cities. The concern of Mr. J. Edgar Hoover that this might give the Russians an extra advantage in the business of spying seems to be dampened down. *Now the chief opposition to the treaty around the country comes from the highly organized extreme right wing groups; the chief opposition in the Senate from men whose careers have been identified in large measure with crusading anti-communism.*

The agreement would give immunity from arrest to those consular officials themselves and allow them to step in to protect their own nationals, Russians who get into trouble here, Americans who get into trouble there. And far more Americans travel in Russia than Russians travel here. These protections would be enforced even if no consulates were physically established in either country. The idea is simple reciprocity in the familiar world-wide pattern. Before and during the big war the United States and Russia had consulates on each others' territory, but they were withdrawn at the height of the cold war.

The first negotiations for this treaty were begun under President Eisenhower and he continues to support the effort. Faced with rebellion by moderate Republican Senators, Republican leader Dirksen has essentially withdrawn his own opposition.

But a two-thirds vote of those present is required for Senate ratification of a treaty. When it became apparent that outright rejection of the treaty was unlikely, its opponents, like Senator Mundt, resorted to amendments, barring implementation of the agreement until Soviet aid to North Vietnam has ceased, for one thing. But this treaty cannot be used as a political lever on Moscow for the reason that it's not that important in the practical sense. The Russians would simply refuse to ratify on any such terms, as we also would refuse were similar terms applied to us.

In the practical sense the treaty is useful but not critical. But as a symbol it does have a certain critical air about it. Since the Cuban missile crisis and the Russia-China split, the cold war has taken a different turn. Nobody expects Russia ever to love or trust America, or vice versa, but in their own interests the Russians are trying to get on better terms with the West. Presumably, this is what we have always wanted. The administration looks on this treaty as a small step in that direction, as an earnest of our intention that the trend towards east-west cooperation shall continue, hopefully leading to much bigger things, such as a treaty to discourage the spread of nuclear weapons around the world.

March 17, 1967

SEVAREID: This is Saint Patrick's Day and according to to the rule book one ought to say something about the Irish. But the Irish can generally be counted on to take care of that themselves, particularly on this one day of the year.

It wouldn't do, on this day, to say that the news pastures are greener exactly on the other side of the continent, but exotic happenings do continue to bloom in southern California, where there's no politics like show business and no show business like politics.

The age of mass production produced the interchangeable part, and since the switch of Ronald Reagan to the governorship and George Murphy to the Senate it has been perfectly clear that the statesman need no longer be custom-made as in the old fogey days of long ago. Naturally the process works in reverse. *So Senator Dirksen has no trouble going into show business, recordings department, nor has Adam Clayton Powell. And Los Angeles Mayor Sam Yorty as a television compeer, raconteur and question answerer seems entirely natural, an appropriate development in na-*

ture's new scheme of things. After all, Yorty told the Ribicoff committee very frankly some time ago that a mayor in Los Angeles has very few powers. The next best thing to power is influence, and the next best thing to that is publicity.

In conversation many years ago the late Gertrude Stein explained to me that there was a new being in the world. She called it the "publicity saint," a person who didn't have to say or do anything that affected anything, but only had to exist in order to be publicized. Her leading example was Eleanor Roosevelt, which I thought inaccurate; mine was Bernard Baruch.

These days we have a whole new crop of publicity saints, though of minor orders. *At Mayor Yorty's ceremonial, it was natural that he would surround himself with those already beatified; no opening is regarded as complete any more without the presence of Mr. Pierre Salinger, for example. It is without point to ask what a publicity saint does. They don't have to do; they just have to be.* And only the most backward would ask Miss Zsa Zsa Gabor what she does, because she is, though purists in the study of this new species might quibble there. She not only is, she has.

April 18, 1967

SEVAREID: After his Latin American excursion in which he dealt with the complicated problems of the future, President Johnson is now immersed in the agonizing problems of the present. South America may be smoldering, but Southeast Asia is on fire.

Most of the large factors in the Vietnam war seem unchanged. Some military authorities here are implying that the fighting is reaching a decisive stage. They were saying that a year ago. Thousands of anti-war Americans have been massing in the streets demanding that we get

out of Vietnam. They were making that demand a year ago. High-ranking government officials are saying that Hanoi is encouraged to continue the war because of these protests in this country. And they were saying that a year ago. A spade is a spade; *the protestors and the government are calling each other murderers. This is the outer limit of democratic dialogue.* It is stark illustration of the decline of order, the loosening of the cement that holds this body politic together. *Another year of this and it may be questionable how much moral authority will remain vested in the presidency; it may also be questionable how much will remain vested in Martin Luther King, for one, who has now formally joined the war protest to the passions of the Negro revolution.*

But on the international, inter-governmental level, it would be wrong to say that nothing at all has improved. The rigid triangle composed of Hanoi, Washington and the Saigon regime does appear to have altered its shape. It is Saigon that has softened. Not long ago Marshall Ky was insisting on no dealing whatever with the local Vietcong; indeed, he was demanding the invasion of North Vietnam. Recently, when Ceylon proposed a standstill in the fighting and dealing with the VC, the Saigon regime accepted this. Today it accepted, in advance of Washington, Canada's suggestion of a mutual pullback from the demilitarized zone.

This does not mean that these things will actually occur. It may not mean that the ruling junta in Saigon has had a change of its private heart. What it means is that there are new forces at work inside South Vietnam, local political forces, represented by the presence of the temporary Parliament, and by the gathering election campaign. The generals are bowing to the spirit of these new groups and processes. That spirit is for compromise and peace. To accept that spirit is the way to win election, which tells us

a lot about the mood of the ordinary Vietnamese. In sum, one of the stubborn roadblocks in the path to peace is being reduced, and that is something.

April 27, 1967

SEVAREID: *The committee recommendation that Senator Dodd of Connecticut be formally censured is expected to be followed by the full Senate.* The committee finding was a unanimous vote of its respected members, and after *the severe punishment of Adam Clayton Powell on the House side,* it would be exceeding strange were the Senate to relent on Dodd.

There is a principle of randomness in politics as in nature; things come in clusters, *so we have had Bobby Baker, then Powell, now Dodd.* Each has intensified interest in the others and made impossible any sweeping under the carpet operation.

Every few years the Congress goes through some kind of crisis about members' personal conduct, so every few years there is a new effort to write some kind of ground rules on the use of government expense accounts and campaign funds, on acceptance of gifts from lobbyists, on conflict of interest between a member's public duties and his private business connections. It's an extremely difficult task, so fuzzy are so many of the borderline cases.

Congress is judge and jury, prosecutor and defense for its members. It has no separate watchdog, save the press. Men who labor in the executive branch do have a watchdog, the Congress. It has demanded the purity of Caesar's wife for administration people, and so have various presidents, including President Johnson. The result is that the federal administration is generally regarded as very clean, cleaner than most city or state governments. *But it is also very probably true that the federal Congress*

is cleaner that most of the legislatures in the states. The popular notion that congressmen are natural crooks comes from the experience of the 19th century and the early part of the 20th. It is a notion that many congressmen privately but bitterly resent as they go quietly broke in office.

Their mail from constituents these days has been full of epithets, *and they are scarcely in a charitable mood toward Powell or Dodd, and very uncharitable toward Dodd's office staff people who rifled his files while working for him. And if these people now receive some attention from the Justice Department, most senators will not be displeased.* They all have an office staff of their own.

April 28, 1967

SEVAREID: The square-shouldered, square-jawed General Westmoreland mounted the tribune today, but not as a hero with victory to report; he came more as an emissary of the fighting troops and he was as much sympathized with as admired, for he struggles with what may be the most difficult, unglamorous assignment ever given an American commander. No one can be sure that his war of attrition, his search-and-destroy strategy, is the best strategy in Vietnam because no one can be sure about the hypothetical alternatives; but the Congress gives him the automatic benefit of the doubt on this, partly because it knows he fights under severe and necessary political restrictions.

His speech today was more of a factual military report than his speech to the editors on Monday. It was a softer speech. He did not talk about "unpatriotic acts at home" as he did on Monday; he merely said that the enemy believes that America's resolve is its Achilles' heel.

It has been clear since Monday that if the Administration thought Westmoreland's soldierly presence would tend to silence the critics and draw the country closer together,

behind the President, if it thought that, it was wrong; the effect has been the opposite. In his speech Monday, if not today, he exacerbated the argument. *Congressional critics don't enjoy being called unpatriotic, even if only by loose implication; if the general meant only the flag and draft card burners, everyone wishes he had said so.*

Today's speech was much more carefully vetted in Washington than his Monday's speech. When he said on Monday that he could see no end to the war in sight, he intensified the domestic debate; he did not diminish it, because there are many potential hawks who have restrained their desire to smash up North Vietnam because of the thought that military victory in the field may be close at hand, and there are many potential doves who have restrained their desire to appease Hanoi or get out of Vietnam because of the same thought.

Now with the war's commander stating flatly that the end of the fighting is not in sight, men on both sides of the domestic argument will feel less restraint, and will go at it hammer and tongs.

May 2, 1967

SEVAREID: It is not likely that President Johnson or Secretaries Rusk and McNamara will be losing any sleep over their so-called trial for war crimes, which opened today in Stockholm. The effects of gratuitous insults generally wane rapidly.

This affair in Stockholm is an anti-American propaganda ploy. It is being staged there because the bulk of the British left wing wanted nothing to do with it, and because de Gaulle would not permit it to take place in France. Even the Soviet Union allows very little publicity about it. But many fiery denunciations of Washington will come out of it, will be printed and broadcast around much of the

world, finding some believers, and having a reverse effect on others because of the sheer blatancy of the business.

It would receive almost no attention were it not associated with the name of Lord Bertrand Russell, though he will not attend in person. Lord Russell has been one of the shining intellects of this century, whose works will be studied for generations. He is now 95 years old. From his home in Wales he operates what one journalist has called a protest factory. Statements protesting almost anything, in particular almost anything the United States government says or does, pour out under his name. *Much of it is the work of a tense, humorless young American expatriate named Ralph Schoenman, one of a small band of far left Americans, some of them committed Communists, who have operated in England for several years.*

Some who know him argue that Lord Russell is not at all senile. But his stability might be judged by the facts that he once called both President Kennedy and Prime Minister Macmillan murderers worse than Hitler, that at one time he advocated preventive war against the Soviet Union, that *he regards the Warren Commission Report as a part of a giant conspiracy,* that he claims the United States has put 8 million Vietnamese into concentration camps. That, incidentally, would be one half the population of South Vietnam.

If the Vietnam war is an affront to reason, for many people Lord Russell's brand of opposition to it is a mutilation of reason.

May 4, 1967

SEVAREID: What follows scarcely comes under the heading of pointing with pride or viewing with alarm; it occupies that misty middle ground called pondering with perplexity.

What is a bit perplexing these days is the number and variety of Americans busy writing higher laws. *The draft card burners are responding to a higher law, they say, than the Selective Service Act; leaders of various street demonstrations are invoking higher laws than city ordinances governing traffic and public order. If things get much worse the scholars will have to write a new definition of anarchy.* It won't mean the absence of law any more; it will mean a superabundance of laws, with every citizen free to choose those he feels like obeying. A country can grow rich in saints and martyrs that way, but a boom market in self-conscious morality is bound to crash sooner or later.

One of the higher laws developing these days among some of the civil rights demonstrators seems to be the rule that unless there is bread for everyone there shall be no cake for anyone. So Dr. Martin Luther King argues that because the housing situation in Louisville is bad, Louisville doesn't really deserve to have the Kentucky Derby and some of his young followers entertain notions about breaking it up.

At Darmouth College several hundred students have discovered a higher meaning to the constitutional guarantee of free speech. It means the freedom to howl down anybody with a different view and to threaten him with bodily harm, as they did with ex-Governor George Wallace. These students are quite certain their morality is higher than Wallace's, a proposition now open to doubt. Their unspoken conviction is that the young and left-wing are naturally pure; the middle-aged and right-wing naturally impure. It all leaves bewildered citizents groping hopelessly to find the difference between the students who smashed Wallace's car and that Dallas woman who spat on the late Adlai Stevenson, the difference between today's left-wing intimidation and yesterday's right-wing intimidation by McCarthyism.

The McCarthyites, too, were following what they conceived to be higher laws.

The spectacle of the more self-righteous young students these days irresistibly brings to mind a remark once made by Winston Churchill. He said he admired a manly man and a womanly woman, but he said, "I cannot stand a boyly boy."

June 15, 1967

SEVAREID: The Senate of the United States is not a chowder and marching club at the best of times, and it reaches its most joyless level when it must sit as a court in judgment on one of its members. It is a court of 100 this week, since Dodd of Connecticut can vote on his own case, and all its proceedings are conducted in the spirit of more sorrow than anger, *except on occassion when Dodd's defender, Long of Louisiana, turns purple of complexion, matching his prose.* The transaction has none of the atmosphere of a criminal case, though money is the subject matter. No member seems to be thinking of the defendant as larcenous. *The alleged misdeeds at issue are in the realm of carelessness, but on a scale beyond normal proportions. Senator Dodd appears to have been afflicted with what one observer here calls a "splendid inattention to detail."*

Any senator is part individual, part institution, or so he feels. In the Orient, individuals dare not lose face; in the West institutions dare not, and *the offense Mr. Dodd is charged with by the Ethics Committee is damage to the repute of the institution.* Senators are painfully aware that there is always a layer of the population that regards legislators as crooks, which is not often true, and the House chamber did what it did to Congressman Powell, which adds to the pressure for action on the Senator from Connecticut. So the highest authority appealed to by Senator

Stennis, spokesman for the prosecution, is the Senate, while the defendant, whose personal honor and soul are at stake, has called upon the Lord as his witness. Mr. Dodd has defined himself as technically responsible, but not guilty. It is conceivable that the senators will vote on the two questions, double billing for airplane fares and using testimonial dinner receipts for personal needs, that they will vote on them separately. This could result in differing verdicts and leave Mr. Dodd's status about as cloudy as the issues are now. The great difficulty is that there are no written rules about how testimonial dinner monies should be used, only for political purposes, or are they to be regarded as personal gifts to the senator? The verdict on Dodd ought to lay down the precedent on this matter, so the Senate seems to be using Mr. Dodd as a guinea pig as well as making him an example.

Dodd himself has no doubts as to where the line on money morality is drawn. *If he had bought minks, a Cadillac or a yacht, he implied, that would have been wrong; this suggests that rabbit fur, a Chevy, and a rowboat are more respectable.*

It is easy to identify part of the senator's appeal to his constituents. He looked so augustly senatorial, and yet was always so spectacularly broke.

June 21, 1967

SEVAREID: *The remarkable young man known as Muhammed Ali or Cassius Clay had an unconvincing case for refusing military service, and apparently expected to be found guilty.* Had he won his case there would certainly have been widespread resentment on the part of other young men who do serve, to say nothing of the families of those who have found injury or death in the service. Yet for any one who has known and tried to understand this young man, there

must be a sense of regret and loss over what he has come to, and a sense of shock at the severity of his sentence, because there is a large core of goodness, of high morality, in this young athlete. This will sound strange to those familiar with *his public posturing and boasting and vainglriousness.* That side of his nature has existed in contradiction to his private gentleness, his acts of generous concern for his friends, his family, and especially for the Negro youngsters who idolized him.

Beginning at a very tender age, this phenomenal boy had to bear a tremendous weight of public attention. He was bright, highly emotional, but woefully uneducated and confused about just who he was and what it was all about. In spite of his family background, he was uprooted in a different and more drastic way than most young Negroes in the American society. He had to find something he could cling to, and *he found it among the black muslim sect, and what they regard as their faith. He seemed to feel that this had brought a coherence to his life; it has now brought him to the gates of prison.* He has turned his tremendous energies into the direction of deliberate martyrdom, as have some others trying to lead in the national Negro upheaval. It is hard to see that this advances their cause to a lasting degree. It is permissible to speculate, at least, that the leadership for the long haul will come from the ranks of those who work within the rules and find their lost pride in contexts that the whole country, not only militant Negroes, accept and understand. And if there is one obvious group of Negroes now accomplishing this, it is those young men who took the opposite road from Muhammed Ali—the Negro privates, corporals sergeants, officers in Vietnam. In battle, color has no meaning to anybody; all that is respected is competence and the ability to lead. And it is in this strange war, dubious as its purposes and outcome may be,

that Negro Americans are establishing a record that has to be respected, producing individual leaders whom Negroes generally will have to listen to and look to in the generation ahead.

June 27, 1967

SEVAREID: This is Eric Sevareid. *President Johnson indulged his pet peeve in Baltimore today. He blew in public the gasket he usually ignites in private gatherings.*

Practically all Presidents begin by feeling the press is a thorn in their flesh; practically all of them acquire the feeling it is a sword in their side. Some have left office convinced it is a knife in their back. Mr. Johnson seems to have achieved stage three already.

When Thomas Jefferson left office he was reading only one paper, the *Richmond Inquirer.* He didn't trust the contents of the others, except for the advertisements. President Eisenhower, midway in office, concentrated on the *New York Herald Tribune;* it saw things his way. In recent months, both Mr. Eisenhower and Mr. Truman have been advising President Johnson to ignore the press, print and broadcast, and just go ahead and do what he thinks is right. That is as hard for Mr. Johnson as lifting himself by his bootstraps, too hard for a man with the habit of devouring newspapers and broadcasts, and *who wants to regard the press as the creator of both the credibility and the likeability gaps.*

Mr. Johnson is a positive thinker. Accomplishments should make news as exciting as failures or protests he feels. Antiwar protestors who tramped around the Pentagon got attention, while 10,000 young Americans enlisted in the armed forces and got no attention. Well, news is what editors decide it is, and they can and do fall into ruts at times. But the theory, or the instinct, is that news is what

is different and unusual. Protestors trampling the Pentagon tulip beds is regarded as something unusual, army enlistments as usual. Suppose it were the other way around and army enlistments got headlines and pictures as extraordinary events, while tulip tramplers were ignored because they were ordinary events. This would surely mean that American society was in a dreadful state, to say nothing of its tulips. The argument can be carried too far, but as a working hypothesis one can say that a nation that features bad news is probably a good and sound nation; one that features good news is likely to be a badly run, unsound nation. The press of most totalitarian countries is full of good news.

Intellectuals, especially those in alien countries, get mixed up about all this. Ordinary people don't. If all barriers to emigration and immigration were suddenly lifted all over the world, there would be a mighty movement of peoples, most of it in one direction, toward this country, in spite of all those awful things its own press and the foreign press have been saying about it.

August 31, 1967

SEVAREID: The assemblage in Chicago that Mike Wallace is reporting looks more like a camp meeting than a political operation to most people here in Washington. Conceivably the framework of a left wing third party on the national, presidential level could be put together but probably not much more than a framework. The money, organization, and leadership required for a third party to have any influence, to say nothing of winning any electoral college votes, must all be of a high order, and the assembly in Chicago doesn't appear to have even a candidate.

They are finding unity in a general state of mind only, not in a program or personality. At least they know they are

against the war and against the President, and in favor of rapid progress toward equality for Negro Americans. But they seem to differ vastly in their ideas of how to reach their goals. They are mostly young, of the "you can't trust anybody over 30" vintage, but they don't appear to be terribly trustful of one another either. That is one trouble with intellectuals in collective politics; the imagination that allowed them to see great goals also obliges them to see a thousand shadings of philosophy and policy. They can fragment a major issue into minor issues with alacrity and conviction. Mike Wallace reports that the Chicago gathering is surprisingly devoid of both structure and passion. *The last left wing third party effort organized in Chicago was Henry Wallace's Progressive party in 1948, which I was covering for CBS NEWS. It was the precise opposite, highly structured, intensely passionate, in part at least because it was dominated by Communists,* of whom very few are in Chicago now.

Unless an unlikely miracle happens in Chicago over the next few days, the real third party danger to President Johnson next year will come from another Wallace, George, of Alabama. A danger to Mr. Johnson, but perhaps even more to the Republican party in the South. George Wallace can't possibly win, but it's still conceivable that his movement could deny a clear electoral majority to either major party candidate and throw the presidential choice into the House of Representatives, and that would mean a combination camp meeting, fishfry and Donnybrook wondrous to behold.

September 5, 1967

SEVAREID: There is a theory that husbands can achieve happiness in marriage if they will frequently repeat those three little words, "I was wrong." Normally ambitious

politicians, like military generals, find themselves unable to utter those words, but now Governor George Romney has done it, and it will be interesting to see if he can achieve his nomination ambitions by this reversal of political tradition.

He was wrong, he now says, when he endorsed the Vietnam war after a trip there two years ago. That is as far as his humility goes in this instance. He appears to put the blame on American officers and diplomats in Vietnam who, he says, brainwashed him. But then, he went on, he went to the books and really learned something about this war, the Communist movement in Vietnam and the long history of that little country, and as a result he no longer believes that our massive intervention was ever necessary to save Southeast Asia from Communist and/or Chinese domination. He now believes we have in effect created the conflict and also involved other Asian countries in it.

In now denying the very validity of the war, Romney has broken the pattern of all the potential presidential candidates. None of the others has gone anywhere near this far. But Mr. Romney has joined a distinct and growing pattern involving scores of other serious-minded citizens, in Congress and out, who did not make a sustained independent effort to examine the basic flow of history in Southeast Asia until it was too late and our massive commitments made. This is what can happen when there is no formal declaration of war, formally debated, when the simple possession of mobile power tends to make action easier than thought.

This current wave of deep doubt about the war's justification is usually regarded by high officials here not as evidence of an enlightenment, but as a failure of nerve. A weakening of will when the going gets tough, they usually call it. This does not appear to be a very precise diagnosis.

The tough going has simply forced the tough re-examination of premises. The operative doubts today are not about the will or character of the American people, but about the wisdom of the official policy.

September 7, 1967

SEVAREID: This is Eric Sevareid in Washington. In this political world, when you can't solve a problem, you divide it. Another wall, of a sort, remindful of the line in Korea, the Berlin Wall, and the wall that did exist in Jerusalem, in going to go up between North and South Vietnam, built by American military engineers. This one will be barbed wire and electronic warning devices. General Westmoreland has resisted the idea for two years, feeling the troops could not be spared for it. Either he has enough men now, the many rear echelon bases having been largely completed, or he has been overruled.

Secretary McNamara denies, however, that we are going to an essentially defensive strategy in Vietnam, as so many have urged for so long, the latest being Sir Robert Thompson, Britain's leading expert on Vietnam and guerrilla warfare. But this announcement today is at least the first step in the direction of a defensive strategy. No word as to whether the fortified line would extend through Laos, where the best established enemy infiltration roads lie. If it is extended all the way, that would mean in effect handing northern Laos over to the enemy, perhaps for good.

This was the important McNamara statement today. *The remarks that will produce the real fun and games, of course, were those about Governor George Romney, who, says McNamara, an ex-auto manufacturer himself, is blind to the truth.*

Romney, as you know, claims American officials in Vietnam brainwashed him into supporting the war two years

ago. This shows signs of becoming one of politics' immortal remarks. It may not be quite on the scale of the run, Romanism and rebellion remark that booted a presidential election in the eighties, but it will have a life of its own, and could conceivably cost Romney the nomination. Today everybody is hammering at him, columnists, commentators, Democrats and even some fellow Republicans, notably Mr. Nixon's campaign chairman. President Johnson is saying nothing publicly, but is reported to be enjoying the spectacle.

At least the remark has landed Romney back on page one, and he had been slipping off. All prophesies about American politics are dangerous, so it is much too soon for anyone to conclude that Romney's chances are fatally damaged. The important fact remains that he is the only candidate who has flatly denied the usefulness of this war. All the others support it in one way or another, and it's interesting to imagine what [position] those others will take should the war be ended in this next year. As critics of President Johnson, they could find themselves finessed, out on a breaking limb, and Romney could stand clear with the argument that the war was never worth it in the first place.

Well, speculation is free, and like most free things, not worth very much. A year is a very long time amid the wild pleasures of American politics.

September 12, 1967

SEVAREID: This is Eric Sevareid in Washington.

The start of a national custom ought to be news, and it looks as if a new annual custom started today with the children's carnival on the White House grounds. It may be that sociological viewers with alarm will see ominous parallels—caliope playing while Rome, Newark, Detroit and East St. Louis burn, or pastoral gamboling, Versailles

fashion, *while H. Rapspierre Brown teaches guillotine building in New York schools.* But if the custom is still with us next year and the year after, we may consider that the republic has survived this era of do-it-yourself arson and oratorical buncombe.

Not that the cheerful custom won't run into troubles. Today the fair was for the children of cabinet, court, congressional and federal agency notables. It will probably be denounced as an establishment carnival and next year be countered by a protest demonstration in Lafayette Square, led by the offspring of civil servants just below the appointive level. Or it may be denounced as an example of militaristic imperialism since the Marine Band provides the music. *Back in the 30s, after all, the American Communists denounced the Boy Scouts as an instrument of fascism.*

Apparently this fall carnival is to be in addition to, not a substitute for, the springtime Easter egg roll on the White House grounds. The carnival probably originated with a presidential task force charged with thinking up new traditions, but the egg rolling affair has a long history, evolving out of the ancient Scottish ritual of rolling oat cakes down a hill at Easter time. In Scotland, anything easy is regarded as immoral, and the oat cake is not what one would call a natural roller, nor is the egg.

The egg rolling custom escaped congressional investigation. This autumn carnival may not. Great cities are struggling to get classrooms opened while teachers strike by the thousands, federal appropriations to encourage education run into billions, yet the President invites all these kids to a carnival on a school day. In our time, any kid who handed the home room teacher a written excuse for an absence which said "went to a carnival" would have done after-class time at the blackboard for five days running.

If the carnival is a Johnsonian masterstroke for increasing the future Democratic vote, this can be offset by the adult White House gardeners. The reports are that they are going Republican in a body.

September 13, 1967

SEVAREID: This is Eric Sevareid in Washington. From the general drift of Republican talk these days the innocent bystander gets the impression that *the Republican strategy for next year will be to head off the Johnson war party at Credibility Gap. Governor Romney thinks the administration has been brainwashing everybody, Governor Reagan says a new credibility gap has developed, Richard Nixon implies that practically no foreigners anywhere trust the United States any more.*

The average country gets along with just one credibility gap, but since the United States does everything wholesale, in job lots, we are developing gaps everywhere one looks, including one-man, do-it-yourself credibility gaps like Governor Romney's. But two major gaps have emerged. One is the believability of the administration when it explains the situation. The other is the believability of the Republican leaders when they explain the remedies for the situation.

House Leader Gerald Ford, for example, on the Vietnam war. Succeed or get out is the correct formula, he says. Since no one in power knows just how to do either, this hasn't helped very much. Demand that the South Vietnamese army fight harder or else, says Mr. Ford. Endless such demands have had no particular results in the past, and Mr. Ford does not explain what "else" means. Maybe he means we should court martial the Vietnamese army.

California's Senator George Murphy, for example. Unleash our military leaders, he says, and the war would be over in a month. Since no military leader in this capital makes this claim, to the President or to the public, Mr. Murphy can enjoy exclusive rights to his own gap.

California's Governor Reagan, for example. Sharply escalate the war, he says. Unless he means invading North Vietnam, which would double our trouble, this must mean knocking out or blockading the ports of the north. Quite apart from the risk of producing even heavier Russian involvement, the fact is that no military leader here, whatever the color of his uniform, has been willing to say "yes" when asked by the President if neutralizing the ports would produce a radical change in the course of the war.

But no one can fairly criticize these Republican spokesmen for lack of leadership. They seem to be way out in front, ahead of the admirals and the generals.

September 14, 1967

SEVAREID: The most basic, primitive political issue of all is law and order, the physical safety of citizens. All other issues fade when that issue becomes dominant, and the dominance of that issue in any country means automatically that the country is in real trouble. It's at least conceivable that the law and order will be the determining issue for next year's national election, though it did not become that in the '64 election, in spite of Mr. Goldwater's efforts.

Today President Johnson touched a national nerve and accepted a challenge. For nearly two months there has been no impressive statement by the President about crime and mass violence in American cities, and everywhere in the country a strong but vague feeling has persisted that he should have said and done more, especially about *the demagogues like H. Rap Brown who have been, in effect, yelling*

fire in a crowded theater. "Poisonous propagandists," Mr. Johnson called such men today, men who provoke others to destruction and themselves flee the consequences.

The challenge he accepted was laid down two weeks ago by Republican congressional leaders, including Dirksen and Ford. They accused the Johnson administration of retreating from the problem of crime and violence, of losing the war against crime. They were immediately answered by administration officials who accused them of scuttling Johnson—proposed legislation on crime, and of trying to help with nothing more than partisan press releases, and the President echoed this countercharge today with an expression of scorn for those who only make speeches and get their pictures taken talking about crime. As to the riots, he made his basic philosophy clear. They are not to be treated as any part of the civil rights movement in this country. They are to be treated as criminal acts. No matter what the sociological and psychological root causes of the riots, the riots themselves are not to be justified.

And the President found it necessary to remind the people of something we tend to forget, that in the American system order in the streets has always been considered a local responsibility, that most big cities have more policemen than the entire federal government, that America, unlike much of Europe, possesses no national police force. The men who founded this nation saw in such an institution an instrument of tyranny. But it may be that in time we will have to reconsider that proposition.

October 12, 1967

SEVAREID: The Secretary of State of the United States is 58 years old. He has had the office longer than any man in this century save Cordell Hull. Unlike Hull he has no personal constituency among senators. He values more highly

the esteem of the academic intellectual community from which he came, and has lost much of it. Dean Rusk is smoking more, talking louder, and enjoying it all less. He has also gone broke in office. He hangs onto office for the history books, to vindicate his Vietnam policies before stepping down. In the course of his painful pilgrim's progress he, like many others in the State Department and White House, has developed a loathing of academic critics, particularly those who assume peace negotiations will begin if only we stop bombing North Vietnam. To Rusk, all the real evidence is the other way.

His life experience has oriented him more towards Asia than any previous Secretary of State. He was assistant secretary, once, for the Far East, and believed the North Korean attack in 1950 meant that Stalin was willing to risk World War III, a proposition now deeply doubted. Earlier, in World War II, Rusk was a political officer on General Stilwell's China-Burma-India staff. Around the end of the war, Dean Rusk was one of the men organizing the dropping of supplies to none other than Ho Chi Minh in Vietnam.

He was Secretary of State during the Bay of Pigs and the Cuban missile crises. Just where he stood on either issue remains something of a mystery. The same cannot be said of Rusk on Vietnam. He is positive, adamant, unchanging.

The pent-up passions in this tired, courtly Georgian burst out today. Heat was added to the general argument here, but no light. He said what he has said over and over again. The argument remains stuck on dead center, because the core of the debate is not so much over strategies for peace or victory as over basic premises. Rusk is baffled that intelligent men cannot understand that Vietnam is

vital to our security. They are baffled that Rusk cannot understand that Vietnam is no such thing.

Things have reached the point where one feels justified in making the otherwise presumptuous statement that no office-holder, congressman or citizen has a right to be listened to any longer unless he has thoroughly studied the history of world Communism these last 20 years, the history of modern China, the Vietminh, Vietcong movements, and the story of the French experience in that country. Rusk has, but so has Fulbright. It is not a matter of who is better informed, but who draws the truest lessons from the information.

II. FACE THE NATION: MARCH 13, 1966-OCTOBER 15, 1967

March 13, 1966: Representative Melvin Laird

* * *

Representative Laird: . . . . But I would like to tell you one thing.

That is, that the defense needs of this country are being under-estimated. They were under-estimated in the President's budget of 1966 when it was originally submitted by some $15 billion. The supplemental request which we will act upon in the House of Representatives on Tuesday or Wednesday of this week—I think the American people were led to believe that that was all the money that would be necessary for the remaining portion of fiscal year 1966. It is simply not true. We will have another supplemental bill for defense spending even to cover military pay before us within a very short period of time.

The 1967 budget, Martin, is under-estimated again. As a matter of fact, the Army manpower limitations that were

in that 1967 budget, two days after the budget was submitted to the Congress, had been removed, making that budget out of date.

Mr. Agronsky: *Are you contending that the President, that the Administration is deliberately misrepresenting both the monetary and manpower needs of this war to the American people today?*

Representative Laird: *No. They want to finance it on a supplemental basis instead of a pay-as-you-go basis—they want to come in on a supplemental basis and have refused in 1966 to estimate adequately what the needs would be in Southeast Asia, as well as the needs to meet the other defense requirements which we have all over the world.*

Now, this is done for one reason, and it is important to get this point across. It is done so that the other programs of the Great Society can be funded in the budget. And it is done because they know the Congress will always come along and finance national security and defense needs at a later time.

Mr. Agronsky: *Well, if it is not misrepresentation, what do you call it?*

Mr. Herman: Yes, that is the point. There is a complication of language in here which I am not sure most of the audience will get. You say they want to do it on a supplemental basis. I don't think most Americans know what a supplemental basis means. You mean that they are under——

Representative Laird: Well, they don't want to put it in their budget estimate.

Mr. Herman: They are under-stating it originally.

Representative Laird: Now, in 1966—they are understating it. Take this fiscal year in which we are currently.

Mr. Herman: *Deliberately under-stating it.*

Representative Laird: *Deliberately under-stating it, I believe.* And I have so charged over a period of the last few months.

Back when the Defense bill was up in 1966—for the 1966 fiscal year, we filed a minority report stating that the defense needs were under-estimated, and we made this very clear in our minority views. *This is done deliberately so that the American people get the first impact, as they did in the 1966 budget, when it was announced that it was going to be under $100 billion.* There was a great hue and cry all over what a grand job the President had done in submitting a budget less than $100 billion. *Those of us on the Defense Appropriations Committee—and we so stated in our report—knew full well that this was a phoney figure,* because the defense needs were not adequately estimated, not a single dollar was put in the bill to carry on for the escalation of the war in Vietnam in the submission that was made in January for the 1966 fiscal year.

* * *

March 27, 1966: Representative Gerald R. Ford

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Mr. Novak: Would you campaign for *an out-and-out segregationist, like Strom Thurmond or Jim Martin?*

Representative Ford: I don't think you can categorize these people as outright segregationists. I think this is an unfair accusation. And I believe——

Mr. Schoumacher: *Is it unfair to call Strom Thurmond a segregationist?*

Representative Ford: Let me talk about Jim Martin, because he serves with me in the House of Representatives. I know that Jim Martin and the other Republicans from the State of Alabama worked very closely with me and others

in the House to develop a voting rights bill that even today, Dave, I think it a better bill than the law that we have on the statute books. These men worked very effectively and honestly to come up with a voting rights bill that would be applicable in every one of the fifty states. And any man or any group of men, such as Jim Martin and the others, who take this approach, in no way, no way, are the kind of segregationists that you are implying.

Mr. Novak: There are different kinds of segregationists?

* * *

Representative Ford: I think the prospects, Dave, are getting better and better for the Republicans to make significant gains in the House of Representatives. At the moment I do not think the prospects are such that we can look forward to a majority in the House. But public opinion today is rapidly swinging away from the Johnson-Humphrey Administration, and there is greater and greater Republican support throughout the country. *And if the Administration's credibility erodes in the next few months as it has in the last few months,* there is a distinct possibility the Republicans will gain control in the House.

I happen to think we are laying a good groundwork, we are getting good candidates, we are better organized, we are more unified, *and the Democrats are losing credibility,* they are disorganized, and I think the American people are getting sympathetic to the kind of a program and the candidates we are offering.

* * *

April 17, 1966: Senator Vance Hartke

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Mr. Agronsky: *Senator Hartke, when you say that the American people need more light about our policy in Viet-*

nam, do you mean that President Johnson has not been sufficiently candid about American policy there?

Senator Hartke: I think all of [us] recognize today that there is a deep-seated feeling in South Vietnam that we are not especially well liked over there. It has become quite evident. Now this not something new. I think that if anyone had read Marguerite Higgins' book, the late Marguerite Higgins, that you could have easily seen this. And it is unfortunate that she died before someone had a chance to really answer these questions.

Now, either one of two things is true. Either the pipeline of information from Vietnam has been clogged up and the information is not coming here or *otherwise somebody on that end or on this end has not told all the people of America what is the truth about the attitude of the South Vietnamese people toward America.*

I think that Ambassador Lodge, the number one man in that part of the country, owes an explanation to the American people. He is over Westmoreland. He is the President's—he is the President's representative there. He is one of his advisers and if his advice has been bad then I think the American people should judge it accordingly.

Mr. Shaffer: Senator, do you think Ambassador Lodge should be recalled from the embassy there in Saigon?

Senator Hartke: I think this is a decision for the President but *I do think he owes the American people an explanation.*

* * *

May 1, 1966: Senator Eugene J. McCarthy

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Mr. Bell: Senator, what is your chief complaint against the way the President is running the war at this point?

Senator McCarthy: Well, I think along the way I would have made two complaints. I don't think the explanations

that have come to us along the way have been as solid as they should have been. I think the kind of forecast that the men would be out in '65 by Christmas. This is the kind of a statement which should not have been made. There was talk last year that the Monsoon Season would be the critical time and that after this we would expect some significant change in policy. Now the Secretary of Defense is talking about the Monsoon Season again as though this had some great significance. I don't think it had significance last year and I don't think it's as significant as they are making it out to be now. We are setting up kind of absolute, almost absolute standards by which we are supposed to be guided, and then having these one by one somehow show weaknesses.

* * *

Mr Morton: Senator, you mentioned these Administration predictions that didn't pan out, *is this, do you think, a lack of candor on the Administration's part or was it just that Secretary MacNamara, for example, was badly informed about how the war was going?*

Senator McCarthy: *Well, I would not charge them with lack of candor, but I think it indicates a kind of rashness on the part of the Secretary of Defense,* at least, which is subject to some challenge.

Mr. Agronsky: *A deficiency in judgment?*

Senator McCarthy: *Well, it could be a deficiency in judgment.* Perhaps so. I think there have been many mistakes in judgment with references to Viet Nam. I recall the night before the Khanh government fell we were at a White House briefing, 15 or 20 Senators, and at about nine o'clock we were told there were always qualifications, but that this looked like a pretty stable, acceptable government. Well, the next morning paper had the story it had been overthrown. Well, I expect it was happening about the time, well, we

weren't really being reassured, but the statements were positive. And after an experience or two of this kind I think you inevitably begin to raise some questions and have some doubts.

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May 8, 1966: Arthur M. Schlesinger, Jr.

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Mr. Wallace: *You are quoted by the New York Times as having said recently in a radio interview down at Princeton University that you find Lyndon Johnson "gullible on Vietnam."* I wonder if you would elaborate.

Mr. Schlesinger: *Yes, that remark was made in reference to the Honolulu Conference.*

Mr. Agronsky: The connection with Ky, the relationship to the Ky Government.

Mr. Schlesinger: The relationship to the Ky Government, because it seems to me that any President of the United States who passively accepts information he gets from the Department of State and from the Military on Vietnam, and supposes that it is true on the basis of the experience of several years of showing how mixed and erroneous this information sometimes is, is making a mistake. Why the Department of State could ever have told President Johnson that General Ky was so popular in South Vietnam that he should tie his personal prestige to the Ky regime, this in view of the mortality rate of every government in Saigon for the past three years, seems to me inconceivable. *And the adjective "gullible" simply means to the continued passive acceptance of judgments from people who have been proven so wrong, so consistently wrong in the past.*

* * *

May 15, 1966: Barry Goldwater

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Mr. Pierpoint: *Senator, do you favor doing something about the Vietniks, the anti-Vietnam demonstrators and the draft-card burners;* and if so, what?

Mr. Goldwater: Oh, we have had those fellows with us as long as I can remember and you are going to have them in every conflict we run into. *I can remember as a boy before World War I we had them. The only difference was I think they were a little cleaner looking. They had better haircuts and didn't use four-letter words.* But they objected to war and we have many people who honestly in their hearts in this country object to war, and we provide for these people. They are conscientious objectors, they don't have to go to war. So this is nothing new and I don't think there is anything you can do about it.

Now when we find professors engaging in the fields of tyranny, in my opinion, now I think the law is very clear. We can use the law. But we haven't done——

Mr. Steel: What law affects professors, sir, I don't understand——.

Mr. Goldwater: Well, any man. *I just pulled professors out of a hat because I think of the one from one of the eastern schools that went to Vietnam and was making statements that he hoped that the Viet Cong would beat the United States. This, in my opinion, is treason, pure and simple,* and we have laws that prohibit that and control it. . . .

* * *

June 12, 1966: Governor George W. Romney

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Mr. Benton: *Well, Mr. Reagan has not gone as far as you have gone in condemning the Birch Society,* for

example, which was another strong issue of yours at the '64 convention. But to bring the question down to this, do you think you could support Mr. Reagan's candidacy? Would he make a better Governor for California than Governor Brown? Would you like to see Mr. Reagan elected?

Governor Romney: I have indicated to Mr. Reagan that I would like to see him elected and I think his election would be a strengthening thing for the Republican Party. Now, my understanding is that Mr. Reagan has not solicited the support of what you might call *the extreme right-wing group, the Birch group.* He hasn't repudiated their support but he hasn't sought it.

Mr. Agronsky: Well, would you repudiate it?

Governor Romney: Yes.

Mr. Agronsky: Why shouldn't he?

Governor Romney: Well, I don't think that everybody in the Republican Party has to be marching down precisely the same road on anything—everything. Now, if he was encouraging *the fanatic right-wing group,* that would be one thing. I have no information to indicate that he is doing that.

* * *

Mr. Agronsky: *Governor, the Senate Minority Leader, Everett Dirksen of Illinois, has criticized the Johnson administration on Vietnamese policy on the grounds that the adminstration has been guilty of a lack of candor in reporting the position of our government to the American people. Would you agree?*

Governor Romney: *Yes, I think there is a gap in credibility.* As a matter of fact this gap has been a serious problem. It was a serious problem in connection with convincing nations that we were really willing to negotiate on a

sound basis and I think it is still a real problem. I think there is a lack of confidence in the statements of the people responsible for keeping the American people fully informed.

Mr. Agronsky: *Credibility is a polite way of saying that the administration is not telling the truth to the American people.*

Governor Romney: *Well, it might be the withholding of certain information or other things other than just deliberate misrepresentation. I don't think this involves necessarily deliberate misrepresentation. But for instance I think the American people were quite shocked after what was said about there having been no reason to believe that Hanoi would engage in negotiations of any kind—to learn that Hanoi had actually made proposals back in the fall of 1964 for discussions and the fact that such proposals had been made was not disclosed until it was disclosed in an unusual way. It wasn't disclosed by those responsible and those who should have disclosed it.*

Mr. Benton: Do you think more could be done in that respect?

Governor Romney: *Well, I think that there has been a gradual deterioration in a feeling of confidence about what our government says in this respect. After all, there has been the Sylvester statements, there have been instances where a lack of information was made available.* There have been statements in the newspapers that figure on fatalities and so on were not—casualties were not completely accurate. And these many things have tended to create a lack of confidence.

And I think also the overly optimistic predictions as to the course of events in South Vietnam has created a lack of confidence.

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June 19, 1966: Stokely Carmichael

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Mr. Agronsky: Mr. Carmichael, you say that you would achieve black power by using the franchise, by using the vote. Yet you have also said that your organization in Lowndes County, while out to take power legally, if it were stopped by the government from doing it legally—and I quote your words now—"we are going to take it the way everyone else took it, including the way Americans took it in the American Revolution." This would seem to imply that you are advocating taking power by force and violence by the over-throw, in effect, of the government. Is that what you meant?

Mr. Carmichael: Let me say this: *In Lowndes County that county is 80 per cent black and 20 per cent white. It has been ruled by that minority by force, by violence and by every illegal trick that one can think of. Now the black people in Lowndes County have organized themselves around the question and around the issue that they have been oppressed, which is their blackness. They have been oppressed because they are black.* And, like any other group in the country, they have organized around the issue of oppression. The unions, the workers organize around the question of low wages. And they are going to try to achieve taking over the power structure according to the democratic processes in this country. Now, if no one is willing to assure the fact that that process is carried on, then that leaves the black people of Lowndes County, it seems to me, no alternative except to stay in the condition in which they have been for the last hundred years.

* * *

Mr. Doyle: . . . . Last Thursday you witnessed people registering to vote in Greenwood, Mississippi in the county

court house. That night you told a rally of young people *"every court house in Mississippi should be burned down tomorrow so we can get rid of the dirt."* My question is how do statements like this—and you have made many of them—which incite both your friends and your enemies, how do they advance the cause of Negro equality?

Mr. Carmichael: Well, number one, the cause of black equality will be decided by the black people because they are the oppressed. That is what we have to understand. *And it is a reality that all the court houses in Mississippi are full of filth and dirt, that there is no such thing as justice in any of those court houses for black people, and the history of Mississippi speaks for itself. The history of the murders, from Emmett Till all the way down to the shooting of Mr. Meredith just two weeks ago speaks to Mississippi.*

Mr. Doyle: Can you register voters if you burn down court houses and are you going to burn down court houses——

Mr. Carmichael: I was talking about a literal translation that—I wasn't talking about figuratively, I was talking about literally getting rid of the people inside those court houses, *getting rid of the Raineys and the Prices who are still sheriffs.*

* * *

Mr. Hart: Mr. Carmichael, if you are after economic power, how is the Negro in the delta of Mississippi who is lucky to make $500 a year, what kind of handle does he have on any kind of economic power?

Mr. Carmichael: He doesn't. That is why he has to grab——

Mr. Agronsky: How do you propose to give it to him?

Mr. Carmichael: I don't. I say that he first grasps the political power that is now available to him. You grasp

what you can. He now has at his disposal via the voting rights bill, political power. He grasps that political power and then he starts through that seeing what terms he can use. He controls the C. A. P. Board (phonetic) if he has the political power so that *the Chief of Police of Indianola —who was the Chief of Police last year that beat up black people—who is now the C. A. P. director in Sunflower County, Mississippi*—will not have that power. That Eastland does not have the power and cannot say the things he says. For example, he said on April 22nd, and I quote: "I have objected to the sending of every federal registrar into Mississippi. Ordinarily the Justice Department will inform me the day it plans to send a registrar into a Mississippi county and I have been able to block some." . . . .

* * *

Mr. Hart: Mr. Carmichael, you had a chance to sit down with President Johnson at the White House Conference. Why didn't you?

Mr. Carmichael: We outlined that very clearly. Number one, we felt that the problems of racism in this country does not exist in the black community, it exists in the white community, and that we didn't see why we needed a conference to talk about fulfilling our rights.

Mr. Agronsky: Why not take that opportunity to tell the President?

Mr. Carmichael: We have other reasons. Number two, *we felt that the President was calling that conference at a time when his international prestige in this country was at a low ebb and he was going to use us to try and build up his prestige* and we refused to be a part of that.

Number three——

Mr. Agronsky: *And you thought the whole approach was phony, was that it?*

Mr. Carmichael: *That is correct.*

Number three, he was using—he is at this time carrying on a war in Vietnam which flagrantly violates the life of colored people. It is foolish for us to sit down and talk about human rights.

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July 10, 1966: Senator Jacob K. Javits

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Mr. Agronsky: Senator Javits, a man in political life is often faced with some hard questions. That is kind of an apologia for a very harsh evaluation that has been made of you that I want to quote to you and would like to have your response on. *It is in connection with General Julius Klein and the Senate Ethics Committee investigation of Senator Dodd, who, as you know, through his letters, through the interchange of correspondence with Senator Dodd brought Dodd eventually before the Senate Ethics Committee.*

Now, the columnist, Drew Pearson, on June 16, remarked of your own support of General Julius Klein in a letter to General Klein that you are "either politically stupid or else inextricably beholden to General Julius Klein". Would you like to respond to both of those observations.

Senator Javits: *Well, fortunately that is only Drew Pearson's opinion and he has been proved wrong many times before....*

* * *

August 21, 1966: Pierre Salinger

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....I do feel that we did make serious public information errors during the war in Veitnam during the time that I was Press Secretary to the President in not being more candid about our involvement in that war. And I think those errors have paid off poorly for us in the years that followed.

Mr. Strawser: You don't think public relations really ruled, then, in the making of Vietnam policy?

Mr. Salinger: No, I don't think public relations did rule. I think there was some very solid policy considerations for what went on. But, as I say in the book, I think they were a mistake.

* * *

Mr. Kalb: Yes, but your book takes a somewhat different position vis-a-vis the President's attitude toward Secretary Rusk than Schlesinger's book. You were both very intimately involved in the whole thing. How come there could be such a disparity of views?

Mr. Salinger: Well, Mr. Kalb, all I can say is that I am writing from the standpoint of what I knew as an individual. *I am not writing on the basis of hearsay or try to report meetings where I was not present.* And in the times that I talked to President Kennedy—and I saw him four, five, and six times a day—I never heard him discuss nor did he ever mention to me the possibility that he was thinking of replacing Secretary Rusk after the first term. And that is all I can report.

Mr. Kalb: *Are you suggesting that a historian like Arthur Schlesinger would be reporting hearsay, is that*——

Mr. Salinger: Well, let's not involve Mr. Schlesinger in this for a minute . . . .

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Mr. Kalb: Why do you think that *there is such an enormous, again, credibility gap on the Warren Commission Report?* It is true that all over the world you have this and there are many people who are exposed to American society who know the way America ticks——

* * *

October 9, 1966: Senator John Stennis

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Mr. Shaffer: Well, Senator, one of those who is responsible for the guidelines is the Commissioner of Education, Harold Howe. And, you know, *one of your prominent southern colleagues in the House called him a misfit, an idiot, ignorant, said he talks like a Communist and he said he should be dismissed.*

Senator Stennis: Well, I don't agree. I don't make such attacks as that. I do not agree with it, those descriptions. *But I do say that Mr. Howe is a zealot to a degree.* And, I tell you frankly, I think his instructions come from the White House. I think he has been told to make a showing on this thing, regardless, make a showing percentage-wise, and hurry it up, get the job along—and he is acting under those kind of instructions.

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November 20, 1966: Floyd B. McKissick

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Mr. McKissick: . . . . But one of the salient factors which stands out to my mind is the fact that there is sufficient racism in this country, north, south, east and west, there are sufficient people with prejudice, and this prejudice can be used by any political party or candidate. And that was shown in the New York election, for example, where the Civilian Review Board was defeated, primarily because of *racist advertising showing a white woman walking down the street without police protection, and this type of thing, creating the innuendo that a great big black man was going to grab her and the police would not be free.*

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December 11, 1966: Governor Robert E. Smylie and Governor John A. Love

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Mr. Wallace: Governor Smylie, Robert Welch, the head of the Birch Society, said just within the past week that your defeat in the Republican Primary in Idaho, and also Ronald Reagan's win in California, are largely the result of the efforts of the Birch Society. Do you agree?

Governor Smylie: *Well, I think that this probably is another straw of evidence, the absolute lack of credibility of Mr. Welch and his public relations expert, Mr. Rousselot who I think said the same thing. I know that the Birch Society was active against me in Idaho simply because I don't think that secret societies have got any place in the American political system if it is going to be a free political system. And I have said this time and again. I firmly and sincerely believe it.* I will continue to believe it and I will continue to say it. And if they continue to oppose me, why, I will have to bear this burden. But don't think they were decisive.

Mr. Wallace: In California?

Governor Smylie: I don't think so there, either. I just don't think that this thing reaches that proportion. *It is a dangerous thing because it is well funded, secret in nature, conspiratorial in its activities, and, for that reason, outside the mainstream of American political life.*

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January 8, 1967: Dr. James L. Goddard (Commissioner of FDA)

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Mr. Agronsky: And it moves us very directly to the whole question of false or misleading advertising.

Dr. Goddard: Yes.

Mr. Mintz: I would like to ask a question about that. *The Journal of the American Medical Association assures its readers, "Every statement", in its drug advertisements must be backed up "by substantiated facts or we won't run it."*

You have said that a misleading ad to a physician can be construed to be a clear and present danger to the patient. Your agency has now started civil actions charging false or misleading advertising of three prescription drugs. All of these ads were in the Journal of the AMA. Your agency also has four criminal proceedings instituted, one of them for false drug advertising. Two of these cases, two out of four, involved the Journal, and I ask why is it that the American Medical Association seems to be turning up so frequently as a sponsor of false advertising for prescription drugs, to its own members, I might add?

Dr. Goddard: I don't believe that one could characterize the AMA as being a sponsor of these ads. The evaluation of drug advertising is a very difficult matter. We find with our very small staff of four people involved in this that the detailed evaluation will take as much as ten man days for one ad.

Now, I don't see how any journal, and there are indeed many medical journals that accept advertising, can in effect go into the depths of review that is required to assure the readership that every claim made is indeed accurate and fairly presented.

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January 29, 1967: Senator George Murphy

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Mr. Agronsky: .... But in any case, what the Academic Senate said was that *the dismissal of Kerr was reckless and precipitate and said—I quote it now—"It constitutes*

destructive political intervention in the affairs of the University".

It then goes on to say——

Senator Murphy: This may be possible. I would not presume to question their point of view. But the politics on the Board of Regents—if you will go back carefully, you will find that most of the political appointees on there were appointed by Governor Brown. Actually Reagan only has his own vote, and Bob Finch, who came in as Lieutenant Governor, and one other.

Now, the Board of Directors was made up of people appointed by Governor Brown.

So if there has been politics in it, it certainly would not have been of Reagan's doing. It would have been a result of the Democratic administration preceding him.

Mr. Agronsky: *But could we get your opinion as to whether or not this was a destructive political intervention in the affairs of the University, as the Senate contends.*

Senator Murphy: No, I don't—well, let me just speak now as an ordinary taxpayer in California.

There has been trouble in the University for some time. The University has been upset. The curriculum has been upset. Many of the classes have been upset. *People from off the campus have been coming there, trouble-makers. And many of them you and I have known over the years. And we know their purposes. We know that they are more interested in stirring up some sort of a revolution more for the sake of having a revolution.*

Now we decide—is this good for the University or bad. I personally think it is bad. And I think that Chancellor Kerr, or President Kerr should have done something about it to preserve—it is like the conditions here in Washington. We talk about the danger in the streets at night in our big cities, in New York. I think now it is the duty of gov-

ernment to protect the good, law-abiding, decent citizen, just as it is the duty of the head of the University to keep law and order going there so that the good, hard-working student can go about his business of getting an education.

* * *

I don't think—this University has been in the print now for the last two-and-a-half, three years, because of these turbulent troubles up there. *And while there are great stories about one young man, Mario Savio, as to whether he should be readmitted or not—I think this whole thing was a little ridiculous, if you will forgive me. I don't think he went there for the purpose of education. I think he went there for the purpose of stirring up more trouble. And I think it is time somebody said so clearly and concisely, so there can be no misunderstanding.*

* * *

February 5, 1967: Dr. Clark Kerr

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Mr. Agronsky: *Now the political aspect, you make it very clear that the moment Governor Reagan was elected, you had had it.*

Dr. Kerr: Yes. I came very close to having had it at that point. Yes.

Mr. Agronsky: Then you feel then your dismissal was political?

Dr. Kerr: *Well, as I said before there is more to it than that, but essentially it is political.*

* * *

Mr. Agronsky: Dr. Kerr, you were constantly criticized by Governor Reagan throughout his campaign and there was an enormous amount of talk about this all over the country, that *at the University at Berkeley the students had*

abused freedom of speech, that it was license rather than freedom that had been allowed to them, that they had really gone too far and that they should—you should have been more rigid in controlling demonstrations and in permitting them access to the campus and all the things that went on over those years. Do you feel, looking back now, that you were too lax?

Dr. Kerr: No, I don't. I don't really think so, by and large. Remember, to begin with, that there are nine campuses at the University of California and that I was President of the whole University; that there has always been a Chancellor at Berkeley with a major concern for the campus. *There were excesses by the students at Berkeley* and I greatly regret them. *I think the problem at Berkeley was more that there was too heavy a hand than that there was too light a hand. I think the Chancellor at Berkeley in October of 1964 moved too quickly in bringing in the massive police force. . . .*

* * *

February 12, 1967: Representative George Mahon

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Mr. Agronsky: Mr. Chairman, how do you feel about it yourself? *Many supporters of the President feel that this book deliberately denigrates the President and his family in the way it reports on matters that occurred immediately after the assassination. Would you agree with that? Do you think that the book is unfair to the Johnson family?*

Mr. Mahon: *Well, yes, I think it is unfair and I think it is inaccurate,* but I don't think it has done the President any injury because I think the American people are fair-minded and they have resented some of these implications and so forth.

Mr. MacNeil: What inaccuracies have you found in the book, sir?

Mr. Mahon: Well, I was just noticing one in the picture the other day where it was said none of the President's assistants were present at the swearing in, and here was O'Donnell in a wide angle film picture that was shown in the paper. I mean, I haven't read all of the book. There are so many more important things happening in the world that this emotional thing doesn't appeal to me a great deal. I have read some of the press reports about it but we have got more important business to do like trying to determine what to do about the $158 billion that the President has requested we appropriate at this session of Congress.

* * *

February 26, 1967: Barry Goldwater

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Mr. Pierpoint: Senator, Defense Secretary McNamara said recently, and I quote him here—"I don't believe the bombing has significantly reduced or would significantly reduce the actual flow of men and material to the south". Do you agree with that statement?

Senator Goldwater: I would agree as far as the men, the infiltration. The infiltration increased I think by about 12,000 men last year. That is difficult to stop in those jungles. It is almost impossible. But material—if we destroy the material at the point of its landing, where it is stored, then there is nothing to transport. And I would disagree most violently with the Secretary's suggestion that it hasn't done any good. He said it was doing good just a few months ago. *That's Old Yo-yo—you never know what he is going to say.*

* * *

March 5, 1967: Senator Mike Mansfield

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Mr. White: Well, I thought perhaps you might be interested in another question which has been recently involved a lot, and *that is the matter of the CIA and the so-called subsidy-of-the-students movement which, as I understand it, meant in effect that CIA money was used to finance American students to go to foreign student convocations* which we felt and which experience had rather shown would otherwise have been entirely packed by Communists. *Now, at the time this was first published, first brought to notice, you were quoted as expressing some anxiety about Big Brotherism——*

Senator Mansfield: *That is correct.*

* * *

Mr. Agronsky: *Do you feel the CIA was operating outside the area of its competence and jurisdiction?*

Senator Mansfield: *I certainly do.*

Mr. Schoumacher: *But this is a criticism apparently not leveled at the CIA. You are leveling this at the Administration which must have ordered it to get into this.*

Senator Mansfield: *The question was raised relative to the CIA. I am answering it relative to the CIA and as far as the President is concerned, if that is what you are driving at, I am sure the President had an overall idea what was going on but perhaps, and very likely, he didn't have an idea that this particular series of incidents was going on.*

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Mr. Agronsky: . . . . *Governor Romney of Michigan has contended that the policy of President Johnson in Vietnam is governed by political expediency.* How would you respond to that.

Senator Mansfield: *I wouldn't agree with Governor Romney. I wish he would be a little more specific and explicit in where he stands. He is going all over the rainbow and nobody knows where the Governor of Michigan stands.* If he is going to be a Presidential candidate, he will have to take a stand sometime, some way.

* * *

March 12, 1967: Attorney General Ramsey Clark

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Mr. Agronsky: *Mr. Attorney General, one of the first arrests that has been made by the District Attorney of New Orleans, Mr. Garrison, is of a gentleman called Clay Shaw, which the Attorney General says is an alias for a man named Clay Bertrand, who is mentioned in the Warren Report.*

One of your first statements, when you became Attorney General, was that the FBI had already investigated and had cleared Clay Shaw of any part in the assassination of President Kennedy; yet, Shaw's name is never mentioned anywhere in the Warren Commission report.

Why is that, and is there an identity between Shaw and Bertrand?

Attorney General Clark: Under the circumstances, that is, in view of the fact that there will be a hearing in New Orleans Tuesday, I really think it would be inappropriate for me to comment on the case. *Mr. Garrison has not offered us any evidence that he may have. I am unable to say why he hasn't done this. It would seem to me the natural thing for any prosecutor to do.* But, as of this time, and without real doubt, I would stand by Mr. Hoover's remarks in November of 1966, that not one shred of evi-

dence links any other conspirator to Oswald in the assassination of President John F. Kennedy.

* * *

Mr. Agronsky: *Don't you find it curious, sir, that the District Attorney of New Orleans, having all of the evidence that is at your disposal persists in this investigation and indicates that he has new evidence which he has not turned over to the Federal Government or to you as you requested?*

Attorney General Clark: *Yes, I find it curious and I find it disturbing and I find it saddening.*

* * *

Mr. Agronsky: Mr. Attorney General, to lead you to another area, an area I know that concerns you very much too, the area of wire tapping and electronic eavesdropping, from your knowledge of the Justice Department operations, and you have been in the Department for six years, I believe, *would you say that the blame for wire tapping when Robert Kennedy was Attorney General should be allocated to Mr. Kennedy, or, as Mr. Kennedy has said, should be laid at the door really, of the FBI Director, J. Edgar Hoover?*

Attorney General Clark: Well, I am not in the business of blaming anybody. I am happy to say that I was in the Lands Division for four years, the first four years of my service to the Department of Justice, and we have yet to find any wire tapping in any Lands Division case. I don't think any will be revealed.

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March 19, 1967: Senator J. William Fulbright

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Senator Fulbright: . . . Here at home it seems to me that they are doing a number of things that are very disturbing

to me, not that we are not the richest and most powerful country, economically and militarily; but within the last few weeks and months we have had very disturbing developments in the House of Representatives and the Senate, indicating something is amiss, I think, in our attitude of our people and what is going on in the basic institutions of our society. *And then the CIA revelations which were a great shock to me have also indicated what I believe to be a sickness in our society.* The acceptance of those revelations is very shocking, in my opinion, because *it indicates a departure from what I thought was our traditional democratic system and a confusion of ends and means which to me is very disturbing.* Another small thing is the tendency of the Executive to take the Congress for granted and to downgrade its significance in our system of government. All of this disturbs me, that fundamentally there is something wrong with our present society.

* * *

Mr. Morton: *Senator, you obviously feel that the administration is guilty of not telling very much about this whole area.*

Senator Fulbright: *I didn't know I was alone in that thought. I thought that this was sort of held in general.*

* * *

Mr. Marder: *You started out by saying, sir, that the CIA revelation was a great shock to you.*

Senator Fulbright: *It was a great shock to me.*

Mr. Marder: Have you not held some hearings or a hearing in private and what are your intentions so far as your committee is concerned about—

Senator Fulbright: Well, it isn't my committee. I have just been invited on two occasions to participate in the committee which is controlled by the members of the Ap-

propriations and Armed Services Committees. You know who they are. I don't want to take the time to recall them. But I didn't learn very much more there than was revealed in the Washington Post article by Mr. Harwood. What shocks me is not that the CIA itself is doing it. I don't blame the CIA. It is the attitude of mind in this country that accepts this kind of activity without being concerned about it. *I think this is very, very subversive of our democratic concepts of society. This was what I meant when I said confusing the means and the ends. We are approaching, it seems to me, the same kind of ideas here and practices which we greatly object to in the Communist system.*

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April 9, 1967: Senator Thruston B. Morton

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Mr. Kenworthy: *Senator, yesterday Bobby Baker, the former Secretary of the Democratic Majority, was sentenced for from one to three years. You also have the situation now of the Ethics Committee, in the stipulation, has agreed with Senator Dodd that the Senator from Connecticut has used campaign funds for personal expenditures. You have the Powell case on the House side.* Your colleague from Kentucky, Senator Cooper, was instrumental in setting up the Ethics Committee. What are your views on what should be done and are the Republicans going to have a party position on this question? *There is a growing cynicism in the country about the Congress.*

* * *

Senator Morton: Well, I think—the Dodd case and the Powell case are quite different and I don't think—I think in the minds of the public they are probably associated as one and the same thing. I think in the case of Senator

Dodd, from what I have read and from the hearings that have been public here, *his problem seems to be more the Internal Revenue Service at this point, that he does have a problem there.*

* * *

Mr. Kenworthy: *Senator, you mentioned the problem that he may have with the Internal Revenue Service on using campaign money for personal expenditures. Might he not also have a problem with the State of Connecticut because their Corrupt Practices Act up there has very strict limitation on how money can be used?*

Senator Morton: *Yes, he would have a problem there.*

* * *

Mr. Mac Neil: Do you think there has been enough exposure of anything like this? *I mean you are suggesting that the Senator has had a criminal violation here in the Internal Revenue field.*

Senator Morton: Well, I—

Mr. MacNeil: Can the Senate just ignore that?

Senator Morton: *No, I don't think we can ignore that at all.*

* * *

April 16, 1967: Dr. Martin Luther King, Jr.

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Mr. Poston: Dr. King, as foremost advocate of non-violence and of inter-racial cooperation in this field, *how did it feel to be sharing the platform with the prophet of Black Power, who not only urges racial violence, who not only urges self-segregation for Negroes, but who calls your President and my President a buffoon, and the Secretary of State a fool, and the Secretary of Defense, who has done more to bring about integration of the Army, a racist.*

Dr. King: Well, I certainly would not say these things myself. I have been on the platform with many people—even members of my own staff—who would say things that I would not say.

It is very difficult, as you know, to get a unanimity of opinion on any issue. And I would not go that far. I would never call the President a fool or whatever he was called, or the Secretary of State a fool, or Mr. McNamara a racist. I do not happen to feel that Mr. McNamara is a racist . . .

* * *

Mr. Poston: There are many who claim that the Vietnam war has contributed less to the crippling of the civil rights movement than the development of the white backlash, than the demonstrations and the riots that occurred in Chicago and Atlanta. And so therefore we have lost support of one of our strongest civil rights advocates, Senator Douglas. We have brought about the defeat—we have brought about the election of *a segregationist Governor in Georgia.* And we did not get accomplished, as I think you urged, the defeat of Mayor Daley in Chicago.

* * *

Mr. Agronsky: Dr. King, we have very little time left. *I wonder if you can tell me if you regard racism as behind the manner in which the House of Representatives treated Adam Clayton Powell.*

Dr. King: *I certainly do.* This is very obvious to me, and many other persons in the Negro community.

The fact that Congress had not set up a uniform code of conduct applicable to all Congressmen when it dealt with Congressman Powell; the fact that the Senate, the other part of the Congress, will not unseat Mr. Dodd, and will certainly not take him from his committees, tells me that we are dealing here with race and racial overtones.

* * *

April 30, 1967: Edward Bennett Williams

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Mr. Williams: Yes, I will start with wiretapping. I am against lawless law enforcement. Wiretapping and eavesdropping are lawless law enforcement. That is what we are talking about tomorrow—Law Day. The theme is nobody is above the law; nobody is beneath it. I don't think there is any law enforcement agency in the United States that is above the law. I don't think that anybody can break the law in order to enforce it.

Mr. Agronsky: *What agencies do you have in mind that are breaking the law?*

Mr. Williams: *Well, we have had wholesale disclosures, Mr. Agronsky, in the past year of microphone surveillances that have been conducted by the Federal Bureau of Investigation from* 1961 *to* 1965. *Senator Long's committee has exposed violations of the right of privacy by Internal Revenue agents.* I think that the President is very sensitive to this problem. In his State of the Union Message and again in his Crime Message to the Congress, he called for strong legislation, unambiguously and unqualifiedly outlawing wiretapping, making it punishable by five years in prison, and unambiguously and unqualifiedly outlawing eavesdropping and making it punishable by five years in prison.

Mr. Agronsky: Certainly the federal agencies that engage in these things are not liable to five years imprisonment or—

Mr. Williams: The right of privacy bill which is now pending in the Senate is hopefully going to be enacted and it will correct any ambiguities that exist now with respect to the law. But I think it is quite clear, Mr. Agronsky, that *what those agencies have done in the past four years have contravened both the federal statutes, state statutes and the Constitution of the United States.* And I think that

perhaps they should give an accounting of this stewardship to the Long committee. Senator Long is holding hearings now on the Right of Privacy Act which was submitted by Attorney General Clark. And I think incident to consideration of that bill that there should be testimony taken as to just how far, how widespread the invasion of the right of privacy of American citizens has gone in the past four years.

Mr. Agronsky: Would you call J. Edgar Hoover to account before this committee? Should he be?

Mr. Williams: *I think that either he or some other high-ranking official in the Federal Bureau of Investigation who knows the facts should give a full explanation of the conduct of the agents in the past four years. They admittedly used hidden microphones and hidden transmitters in hotels, in offices, in private homes, in apartment houses to listen to conversations of citizens some of whom weren't suspected of any crime.* And these microphones and these transmitters were monitored on a 24-hour basis. Thousands of man-hours were deployed to this form of electronic surveillance. Hundreds of thousands of dollars were spent. When the thing was unearthed the President deplored it. Attorney General Clark has deplored it. Remedial legislation is now pending and I think that in order for the Congress to enact intelligently legislation in this area it should have the benefit of full information on the subject. It has not yet had full information on the subject.

Mr. Agronsky: *Do you think the FBI has abused this power?*

Mr. Williams: *Abused the power of—*

Mr. Agronsky: *Of wiretapping?*

Mr. Williams: *I believe it has abused the power. I believe that the revelations of what was done between* 1961 *and* 1965 *shows a wholesale invasion into the right of pri-*

vacy of the American citizens. It shows a violation of the Fourth Amendment. I believe that it shows violations of state statutes. We know, they admitted that they violated the Nevada State statute on eavesdropping, a criminal statute. And we know now that this has been done in Miami, in Washington, in New York, in Kansas City, in Chicago, in Los Angeles, and in many, many other large metropolitan areas in the United States.

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May 14, 1967: Senator Russell B. Long

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Mr. Agronsky: Senator, there's another case in which you're very much interested in that also concerns a former FBI agent, your colleague, Senator Dodd. Have you been able to win any support to stand with you against the censure of Senator Dodd, as the majority of your colleagues have—

Senator Long: I don't know what other Senators are going to do about that, Mr. Agronsky. I am convinced of a number of things. One, that Tom Dodd violated no law. He violated no rule of the Senate. What he did is a kind of thing that has happened many times before. He is guilty in my judgment only of being poor to the extent that he had to call upon his neighbors and his friends for financial assistance both to be elected to the office and to pay the expenses of being a Senator the way he thought that he should try to conduct himself as a Senator. In addition to that, he is guilty of hiring *some treacherous employees who went through his files by night and took out four thousand letters and documents that they thought could be used by scandal columnists to embarrass him. They didn't turn those letters over to the police. They turned them over to some sensation-seeking columnists,*

and those people wrote columns putting those things in the worst possible light.

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May 21, 1967: Senator Thomas J. Dodd

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Mr. Mudd: *Well, I thought your main blame was directed at Mr. O'Hare for his sloppy bookkeeping in Washington, but I wasn't aware that Mr. Sullivan was culpable—*

Senator Dodd: *I didn't say Mr. Sullivan was in the same category with Mr. O'Hare.* Sullivan got the bills that were sent up principally from Washington. He wouldn't know whether this bill was a campaign bill or not. And because the funds were mingled and not segregated they were paid out . . .

* * *

Mr. Bell: *Senator, there is a story in the morning paper about one of your colleagues, Senator Long of Missouri, who received* $48,000, *according to this story, over a course of many months for referring law cases to a certain St. Louis law firm.* Have you done any of that, referring cases to certain lawyers? And do you think this is ethical for a United States Senator to do?

* * *

May 28, 1967: Senators John Sherman Cooper and George S. McGovern

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Mr. Lisagor: . . . . You have said in that notable speech that you made—the New York Times called it a notable speech—on Vietnam, that *the Administration is "faced with a credibility gap as wide as the Grand Canyon."* Un-

der those circumstances, could you run as a kind of ballot-mate of President Johnson's?

* * *

July 9, 1967: Whitney M. Young, Jr.

Mr. Young: I did not mean to suggest that there was going to be an adherence to President Johnson. I think a lot depends on who the candidates are, who the Republicans will put up to run, whether they will run Ronald Reagan or whether they will run Mr. Nixon or whether they will run Governor Rockefeller. And a lot depends on the platforms and the climate and the mood that comes out of the conventions. *If we have a repeat of the 1964 conventions, where there was obviously an anti-Negro feeling and a subtle racism—talk about crime in the streets and "your home is your castle"*—and if there is an election of a candidate who either overtly or covertly is appealing to the so-called back-lash vote of the country, and President Johnson is the Democratic nominee, then obviously he will get it.

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July 23, 1967: Governor Richard J. Hughes

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Mr. Hardy: *Governor, what of the charges of police brutality in both instances, in Newark and Plainfield, the direct cause, the spark that started things more or less could be laid to a charge of police brutality? And this was also one of the chief grievances of the group of people in Plainfield that rioted, more or less.*

Governor Hughes: I don't know. Police brutality, yes. I don't pretend that all policemen are perfect but I tell you that if this country is swayed aside into a general loss of

confidence in police and law and order we have got to begin to think about what we are going to do to replace the police.

* * *

Mr. Agronsky: Well, Governor, let's return to Mr. Dean's point that you knew about these things and that nothing happened. Here you made an application for participation in a federal program—or the City of Newark did, and this is well known now—that begins with a statement that among major American cities Newark and its citizens face the highest percentage of substandard housing, the most crime per hundred-thousand of population, the heaviest per-capita tax burden, the sharpest shifts in population, the highest rate of venereal disease and the highest rate of new cases of tuberculosis and maternal mortality. This was before the riots began. They worked on this for a year or two. *You knew that all these things things happened. The Mayor of Newark knew that all these things were happening.*

Governor Hughes: Well, if you are implying any guilt of inattention to it, Martin, no, this country—

* * *

August 6, 1967: Senator Everett Dirksen

Mr. Agronsky: *Senator Dirksen, a recent Republican Party statement read by you blamed President Johnson for the racial riots. Your Republican colleague, Senator Thruston Morton, denounced this as irresponsible.* Do you agree?

Senator Dirksen: Well, I did not fashion that statement. I was a sort of an intermediary who was impressed into service to read that statement. But a committee actually fashioned that statement.

* * *

Mr. Agronsky: Senator Dirksen, though the statement was a Republican Coordinating Committee statement, you did read it, and you still really have not answered me, sir. *Do you agree with Senator Morton's denunciation of it as irresponsible?*

Senator Dirksen: Well, I have not gone as far quite as might be implied by that statement. I like to be rather cautious and careful about any allegations or accusations that I make. And so I think I would be content to let that answer drop just about there.

* * *

Mr. Lisagor: *Your House colleague, Representative Gerald Ford, has said of the Viet Nam war that it has been shockingly mismanaged. He seems to know what is going on there.* Do you agree with that, or don't you?

Senator Dirksen: Well, I hope there is somebody who knows. But I think it would be high pretense on my part if I tried to undertake the role of an expert on Viet Nam. I have to take it for what it is. And I try to be a realist about it. Who do we have the Joint Chiefs? Why do we have the best that the Army could offer by way of a staff under the leadership of General Westmoreland out in Viet Nam? And then of course either ignore or brush aside their demands and their advices?

* * *

Mr. Hart: *That sounds like a repudiation of the statement blaming the President for the riots.*

Senator Dirksen: I didn't blame the President for the riots.

Mr. Hart: The statement you read—

Senator Dirksen: Well, I didn't blame the President for the riots. I made it clear as crystal that I read a statement that was brought about by a committee of three.

Mr. Agronsky: How could you lend yourself to reading it, sir, if you did not agree with it?

Senator Dirksen: Look—you are a party functionary, and when you have maybe forty, fifty people around, and they think you ought to read what was agreed upon by the Coordinating Committee, and unanimously—

Mr. Agronsky: *Senator Morton, who is a former Chairman of the Republican National Committee, a member of your party, denounced it as irresponsible. He would not have read it.*

Senator Dirksen: Who else denounced it as irresponsible? Who else? Now that you bring up an individual—who else?

Mr. Agronsky: No members of the Republican Party did that I am aware of.

* * *

Mr. Lisagor: On this question of intent, Senator, *Governor Romney has said that people like Stokley Carmichael, one of the militant Negro leaders, now in Cuba, ought to be charged with treason.* Do you think that ought to happen?

Senator Dirksen: Well, treason is precisely defined as giving aid and comfort to the enemy. Now you have to prove it. And I would be the last man to ever put the finger of treason on anybody unless there was a pretty clear showing, because that is a terribly sinister charge to make.

Mr. Agronsky: *Does that mean you would not be against the naming of Carmichael as a traitor?*

Senator Dirksen: *Well, if you can establish that fact. . . .*

* * *

August 20, 1967: Sargent Shriver

Mr. Agronsky: *Mr. Shriver, a parade of police and municipal officials have charged that the poverty program*

workers have helped incite riots in this country. What is your answer?

Mr. Shriver: Well, I don't think it is true or accurate. We have about 65,000 persons employed in the twenty-eight cities where there have been disturbances. These are either full-time or part-time employees. Of these 65,000 people who live in the ghettos and work in the ghettos, 13 have been arrested so far. In fact, I think it is a miracle that so few of these people who are right in the ghettos where the riots occur have been involved in any way in the actual riot activity.

* * *

Mr. Agronsky: *To take a specific example, Jesse Gray of Harlem, who led, as you know, two demonstrations here in the House of Representatives, or attempted to lead a second one last week, is a* $50 *a day consultant for the Office of Economic Opportunity.* How do you explain that?

Mr. Shriver: Well, first of all he is not a consultant for the Office of Economic Opportunity.

Mr. Agronsky: For the Harlem Youth Administration, which is funded by the Office of Economic Opportunity.

Mr. Shriver: That's right. And in New York they have the right to employ the people that they wish to have and to fire the people that they wish to fire. *I have spoken on three or four occasions to the officials in New York City reasonible for the New York City antipoverty program and have urged them to strike Mr. Gray off the rolls as a consultant.* They, however, have the right not to do that. And it is their judgment, not mine, their judgment that his participation in this program in New York is valuable to them. One of the things that Americans don't understand about our program well enought is the fact that it is a local program. It is locally managed, locally directed.

The local people hire and fire the local employees. We don't have that authority in Washington. So Mr. Gray is a local employee of a local antipoverty program in New York. He has been employed by local people and he works under the city government of New York.

Mr. Raspberry: Mr. Shriver, you made quite a point in your testimony before the House Education and Labor Committee that only, as you say, 13 *paid poverty workers have been involved with the rioters and in the rioting.* It seems that either they are involved in these disturbances or they are not in touch with the bottom-of-the-barrel poor who are involved. How do you get out of this kind of dilemma?

* * *

September 3, 1967: Senator William Proxmire

Mr. Herman: But [the cost of the Vietnam war] is one of the key figures that you need to understand which way—

Senator Proxmire: We should have that. We ought to have that and we haven't gotten it.

Mr. Herman: Now why haven't you got it? Is it because they have not been able to figure it out or are they withholding it from you?

Senator Proxmire: Well, it is difficult to figure out with precision. But I just can't understand why the administration cannot give us a more accurate picture at the end of August, when Mr. Schultze appeared before our committee, the Director of the Budget, why they can't give us a more accurate figure at the end of August than they could in January. And he couldn't. He didn't give us any updated figure. The best figure we've gotten is from Senator John Stennis, of the Preparedness Subcommittee, who told us that he anticipated an increase of between $4 and $6 billion.

Mr. Herman: Well, have you any idea why they may be unable to give you or unwilling to give you these important figures?

Senator Proxmire: I don't know. I think that some people contend that if they gave us these figures, the arguments against some of the administration's programs might be stronger. But I can't say why they can't give us more accurate figures. But they should.

Mr. Herman: Is it perhaps to keep the tax increase, the surcharge from being labeled the "Vietnam tax"?

Senator Proxmire: No, I think it is being labeled by those who oppose the Vietnam actions a "Vietnam tax" anyway.

Mr. Agronsky: *You said, Senator, that you thought they were withholding information perhaps on the grounds that it might go against some of their other administration proposals.*

Senator Proxmire: *Yes.*

Mr. Agronsky: What do you mean by that?

Senator Proxmire: Well, I said this is the view of some people. It is not my view. I think that some people feel that the administration is very anxious to get their antipoverty program through, their educational programs, programs I suppose and I think are necessary in the national interest, to get those adopted. *And in order to get them adopted they have to fog up situations a little bit as far as other costs are concerned. . . .*

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September 17, 1967: Reverend James E. Groppi

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Mr. Pappas: You said, Father Groppi, that Milwaukee needs good housing. Well, Mayor Maier has offered to

bring in open housing on a county-wide level. Why are you insistent, so insistent upon having it only in Milwaukee?

Father Groppi: First of all because on a county-wide level, for one thing, it would not come until next spring. *This appears to us to be another promise, you see, a means to placate the black community so that we stop our demonstrations. And then when next spring comes we get nothing anyway.* We're interested in anything that will bring about decent housing for black people. *The Mayor has a habit of passing the buck. Here he is passing it to the county. Previously he passed it to the state.* We believe that the city should take the lead in fair housing.

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Mr. Hanley: *—the Archbishop has said that there is no foundation to any charges that the church is tiptoeing in civil rights because it is afraid to offend its more affluent membership. Would you agree with this?*

Father Groppi: *No, I would not agree with this* because I have been in some of the parishes on the South Side. I don't only like to point to the South Side because this is existing consistently throughout the white community. The plight of the black man is not preached. The Gospel of Jesus Christ, for example, when we talk about the Parable of the Good Samaritan, clergymen consider this imprudent to talk about the black man and the injustice that has been exhibited towards the black man in our society. We don't hear sermons on interracial justice.

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Mr. Agronsky: You wouldn't certainly go as far as *Rap Brown and SNCC in promoting violence and calling for violence as a demonstration of the black power——*

Father Groppi: As far as Rap Brown and Stokely Carmichael are concerned—I have said this before and I say it again—I have never sat down and talked to Rap Brown. I have never talked to Stokely Carmichael. And

therefore I do not make judgments as far as to what they are teaching. The only thing I know about Stokely Carmichael and Rap Brown is what I read in the papers and this makes me a little cautious. But objectively as far as what Stokely Carmichael is preaching, and as far as what Rap Brown is preaching, morally I see no problem as far as violence is concerned. There are various moral opinions as far as the use of violence for the attainment of one's rights, for the overthrow of an oppressive government. Tactically and strategically perhaps you could argue this——

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Father Groppi: . . . First—at times, you see, when you look at the demonstrations, for example, in the labor movement, in women struggling for equality. Even with Ghandi's demonstrations in India there were certain times when violence came forth. You can't expect to have a nonviolent movement which completely remains nonviolent. There are times when you are going to have sporadic outbursts of violence, granted. You talk about the Mayor's office but no one talks about the fact that *the police department threw teargas in our Freedom House and burned the place down, held the fire department back so that this fire got a good start.* And we sat there and watched that. No one talks about the fact that they threw teargas in the church and in the convent and in the rectory. No one talks about *the fact of police brutality,* you see. No one talks about the fact that they arrested 58 people, running inside our Freedom House and dragging them out when we had a peaceful assembly on our own property, you see. This is my kind of—when you start talking about saying this is wrong, then I'll say well maybe the young men should not have torn up the Mayor's office. But, you see, *the image of the Mayor of the City of Milwaukee in the black community*

is this, it is an oppressor. We know what he did when that disturbance occurred on Third Street. People called it a riot; we called it a civil disturbance. Some of the Youth Council members called it a social revolution. The Mayor called in the National Guard, put the entire city under a curfew. Now what happened when we tried to exercise our American constitutional right of demonstration and protest in a nonviolent way on the South Side? Well, we nearly got killed down there, and I mean it. They wanted to annihilate us.

Mr. Pappas: But didn't——

Father Groppi: And yet he refused to give us the kind of protection that was necessary. So here were these young men, militant and angry, sitting in his office. They arrested a few of the leaders, you know, and here was this man's office. They got carried away and they tore the place up. $3,000 damage, I would say about that much damage was done to the Freedom House by the police department.

Mr. Pappas: Didn't the teargas come after you tried to march against the Mayor's proclamation?

Father Groppi: No. The teargas——

Mr. Pappas: It was the first time you were arrested, yes.

Father Groppi: No. We had two demonstrations on the South Side. The Mayor, instead of giving us protection to exercise our right of free speech, brought out his proclamation refusing all demonstrations and all peaceful assemblies—I don't know what in the world he called it. It was rather ambiguous. Our lawyers are still looking at it and they claim it is unconstitutional.

Mr. Agronsky: Well, he rescinded it.

Father Groppi: Sure he rescinded it, because I think he knew that it would not hold up in court.

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October 15, 1967: Senator Stuart Symington.

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Mr. Agronsky: Senator, your Chairmanship of the Senate Preparedness Subcommittee is giving you a unique opportunity to see the conflict in the position of the Secretary of Defense, Mr. McNamara, and that of the Joint Chiefs of Staff. There is a fundamental conflict, is there not, on various targets.

Senator Symington: Mr. Agronsky, I am not the Chairman. Senator Stennis is the Chairman. I am the ranking member. Yes, there appears—

Mr. Agronsky: Of the Senate Preparedness Subcommittee.

Senator Symington: Yes. And there is a very basic difference. We knew of that difference, that is why we wanted to have these hearings. *With all due respect to the Secretary, he's a fine American, dedicated and patriotic, but he is not until recent years a military expert.* And it worries me that we have been so ineffective in Vietnam and at the same time that *he has so consistently ignored the recommendations of the best that we've got in the military.*

Mr. Glass: Well, then—

Senator Symington: And this has been brought out by these hearings.

Mr. Glass:—do we need a military expert, then, to take over the Pentagon?

Senator Symington: No, I wouldn't say that. I think civilian control is vital, but I would hope under the next civilian control or future civilian control that we would have more progress in Vietnam. And I am one who believes that if we'd listen just a little bit to the best that we have

in the military, with respect to how to conduct the war, that we would have done better than we've done so far.

Mr. Agronsky: *Do you think that the Secretary of Defense, then, by his position, is hampering the conduct of the war by the United States—*

Senator Symington: I wouldn't want to draw any conclusions of any character. I am very fond of the Secretary of Defense, I think it is most unfortunate—of course he has a right of decision, that's our way of life. We have civilian control of our government. But I do think that these hearings have brought out the depth of the disagreement between the Secretary of Defense and the Joint Chiefs of Staff and all other military commanders. And I think it is unfortunate that the American people at one time felt there was general agreement among the military with the way that this war was being conducted. That is not true, Mr. Agronsky, and I say that based on my four recent trips to Vietnam.

* * *

Mr. Argronsky: *And what Mr. Glass is asking you—and I will put it even more bluntly—do you think that the Secretary of Defense is hampering the war effort and should resign?*

Senator Symington: I would not want to comment on that because as to whether he does or does not resign is up to the President of the United States. And I think he is a fine American. *I would hope, however, in the future that he listens more to the Joint Chiefs of Staff because I do not think that the results of this war, the bonus on this war, you might say, after the last two or three years, is something that would justify our continuing with the present policies that we have.*

III. SELECTED CBS DOCUMENTARIES

CBS News Inquiry, "The Warren Report," June 25-28, 1967

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Cronkite: And that was to be that—an official version of the assassination, arrived at by men of unimpeachable credentials, after what the world was assured was the most searching investigation in history.

Yet in the two and a half years since the Warren Report, a steady and growing stream of books, magazine articles, even plays and a motion picture, have challenged the Commission and its findings; have offered new theories, new assassins, and new reasons.

Only a few weeks ago, a Harris poll revealed that seven out of ten Americans are convinced that there remain many "important unanswered questions," that the whole truth has not been told.

A Gallup poll shows more than six of every ten Americans question that there was a lone assassin.

Man: *Well, I don't think that all the facts were brought out. I think something was held back.*

Woman: I think there were more involved in it than just Oswald.

Woman: *The only thing that disturbs me is the fact that they've sealed away some of the evidence and I think that's rather disturbing to most people.*

Woman: I've read the Warren Report, and as I say, I think those men are men of honesty and integrity. And I think they were asked to do a tremendous job within a very short period of time after the assassination, and I think they did the very best they could.

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Cronkite: *There is an old axiom among lawyers that nothing carries more weight with a jury, or is less reliable, than eyewitness testimony. In this case we have just learned that the testimony of assassination earwitnesses also is unreliable.* In a moment of utter horror and confusion, in a bowl certain to start echoes, it's too much to expect that human ears will register and correctly recall the number and sequence of a series of quick shots.

* * *

Wallace: *One question is asked again and again: Why doesn't Jim Garrison give his information, if it is valid information, why doesn't he give it to the Federal Government? Now that everything is out in the open the C.I.A. could hardly stand in your way again, could they? Why don't you take this information that you have and cooperate with the Federal Government?*

Garrison: *Well, that would be one approach, Mike. Or I could take my files and take them up on the Mississippi River Bridge and throw them in the river. It'd be about the same result.*

Wallace: *You mean, they just don't want any other solution from that in the Warren Report?*

Garrison: *Well, isn't that kind of obvious? Where do you think that pressure's coming from, that prevents witnesses and defendants from being brought back to our state?*

Wallace: *Where is that pressure coming from?*

Garrison: *It's coming from Washington, obviously.*

Wallace: *For what reason?*

Garrison: *Because there are individuals in Washington who do not want the truth about the Kennedy murder to come out.*

Wallace: *Where are those individuals? Are they in the White House? Are they in the C.I.A.? Are they in the F.B.I.? Where are they?*

Garrison: *I think the probability is that you'll find them in the Justice Department and the Central Intelligence Agency.*

Wallace: You're asking a good many questions, but you haven't got the answers to those questions. You have a theory as to why indeed the President might have been assassinated by a group of dissidents. . . .

Garrison: No. Your statement is incorrect. We have more than a theory. We have conversations about the assassination of the President of the United States, and it does not include only the conversation brought out at the preliminary hearings. We have money passed, with regard to the assassination of the President of the United States. We have individuals involved in the planning. And we can make the case completely. I can't make any more comments about the case, except to say anybody that thinks it's just a theory is going to be awfully surprised when it comes to trial.

Wallace: *Garrison says Clay Shaw used the alias Clay Bertrand, or Clem Bertrand. At Shaw's preliminary hearing Perry Russo testified that Shaw used the name Clem Bertrand the night of the alleged meeting to plot the assassituation. It was obviously a crucial point in Garrison's presentation at that hearing.*

But a week ago NBC said it has discovered that Clay Bertrand is not Clay Shaw. NBC said the man who uses that alias is a New Orleans homosexual, whose real name — not disclosed in the broadcast — has been turned over to the Justice Department.

Cronkite: Garrison's problems multiplied yesterday. His chief aide, William Gurvich, who conferred recently with Senator Robert Kennedy, abruptly resigned.

Gurvich was questioned by Bill Reed, News Director of WWL-TV, New Orleans, and CBS News reporter Edward Rabel.

Rabel: Mr. Gurvich, why did you resign as Mr. Garrison's chief aide in this investigation?

Gurvich: I was very dissatisfied with the way the investigation was being conducted, and I saw no reason for the investigation — and decided that if the job of an investigator is to find the truth, then I was to find it. I found it. And this led to my resignation.

Rabel: Well, what then is the truth?

Gurvich: *The truth, as I see it, is that Mr. Shaw should never have been arrested.*

Rabel: Why did you decide to see Senator Robert Kennedy?

Gurvich: Ed, I went to Senator Kennedy because he was a brother of the late President Kennedy, to tell him we could shed no light on the death of his brother, and not to be hoping for such. After I told him that, *he appeared to be rather disgusted to think that someone was exploiting his brother's death, and—by bringing it up, over and over again, and doing what has been done in this investigation.*

Reed: *There's been talk of allegations, of wrong-doing, of coercion, of possible bribery on the part of investigators — of certain investigators for the District Attorney. To your knowledge, are these allegations true?*

Gurvich: *Unquestionably, things have happened in the District Attorney's Office that definitely warrants an investigation by the Parish Grand Jury, as well as the Federal Grand Jury.*

Reed: *Would you say these methods were illegal?*

Gurvich: *I would say very illegal, and unethical.*

Reed: Can you give us any specifics?

Gurvich: I would rather save that for the Grand Juries, Bill, if I may.

Reed: Is this on the part of just one or two investigators, or does it involve the whole staff, or perhaps Mr. Garrison . . .

Gurvich: It involves more than two people.

Reed: *More than two people. Do you believe Mr. Garrison had knowledge of these activities?*

Gurvich: *Yeah—of course, he did. He ordered it.*

Reed: *He ordered it?*

Gurvich: *He ordered it. Yes, sir.*

Rabel: *Why did he feel it was necessary to order such activities?*

Gurvich: *That I cannot explain. I am not a psychiatrist.*

Reed: *Mr. Garrison said the C.I.A. has attempted to block his investigation . . .*

Gurvich: *His purpose for bringing the C.I.A. in, Bill, is this: As he put it, they can't afford to answer. He can say what he damn well pleases about that agency, and they'll never reply.*

* * *

But the whole atmosphere of his investigations, and the charges that have been made by news organizations concerning it, are not such as to inspire confidence. It may be that Garrison will finally show that there was a lunatic fringe in dark and devious conspiracy. But, so far, he has shown us nothing to link the events he alleges to have taken place in New Orleans, and the events we know to have taken place in Dallas.

* * *

Cronkite: *But the most recent, most spectacular development in the Oswald case involves the C.I.A. It involves, too, the spectacular District Attorney of New Orleans, a man they call the Jolly Green Giant.* It involves an arrest, hypnotism, truth serum, bribery charges, and, for the first time, an outline of a conspiracy. It certainly accounts for the recent national upsurge of suspicion concerning the conclusions of the Warren Report. And it raises a new question: Was the assassination plotted in New Orleans?

Mike Wallace reports.

Wallace: New Orleans District Attorney Jim Garrison quietly began his own investigation of the assassination last fall. In a sense, he picked up where the Warren Commission had left off. Warren investigators questioned a number of people in New Orleans after the assassination, and they failed to implicate any of them. But the more Garrison went back over old ground apparently, the more fascinated he became with the possibility that a plot to kill President Kennedy actually began in New Orleans. By the time the story of his investigation broke four months ago he seemed supremely confident that he could make a case, that he had solved the assassination.

Garrison: Because I certainly wouldn't say with confidence that we would make arrests and have convictions afterwards if I did not know that we had solved the assassination of President Kennedy beyond any shadow of a doubt. I can't imagine that people would think that—that I would guess and say something like that rashly. There's no question about it. We know what cities were involved, we know how it was done—in the essential respects. We know the key individuals involved. And we're in the process of developing evidence now. I thought I made that clear days ago.

Wallace: He shocked New Orleans four months ago by arresting the socially prominent Clay Shaw, former director of the New Orleans International Trade Mart.

Garrison's charge was that Shaw had conspired with two other men to plot the assassination of President Kennedy. Garrison said Shaw had known David Ferrie, an eccentric former airline pilot who was found dead a week before Garrison had planned to arrest him. Incidentally, the coroner said Ferrie died of natural causes. But Garrison called it suicide.

He said Shaw also knew Lee Harvey Oswald; that Ferrie, Oswald, and Shaw met one night in the summer of

1963 *and plotted the President's death. Clay Shaw said it was all fantastic.*

Shaw: I am completely innocent of any such charges. I have not conspired with anyone, at any time, or any place, to murder our late and esteemed President John F. Kennedy, or any other individual. I have always had only the highest and utmost respect and admiration for Mr. Kennedy.

The charges filed against me have no foundation in fact, or in law. I have not been apprised of the basis of these fantastic charges, and assume that in due course I will be furnished with this information, and will be afforded an opportunity to prove my innocence.

I did not know Harvey Lee Oswald, nor did I ever see or talk with him, or anyone who knew him at any time in my life.

Wallace: A preliminary hearing for Shaw was held two weeks after his arrest. The hearing was complete with a surprise mystery witness, Perry Raymond Russo, twenty-five-year-old insurance salesman, and friend of the late David Ferrie. Through three days of intense cross-examination *Russo held doggedly to his story, that he himself had been present when Shaw, Ferrie, and Oswald plotted the Kennedy assassination. Russo admitted at the hearing that he had been hypnotized three times by Garrison men.*

A writer for The Saturday Evening Post said he read transcripts of what went on at those sessions. *The writer suggested that Russo's entire performance at the hearing was the product of post-hypnotic suggestion.* Clay Shaw was ordered held for trial. It could be months before the trial actually takes place.

Meanwhile, various news organizations have reported serious charges against Jim Garrison and his staff, alleging bribery, intimidation, and efforts to plant and or manu-

facture evidence against Shaw. Last month Newsweek Magazine said Garrison's office had tried to bribe Alvin Beauboeuf, the twenty-one-year-old former friend of David Ferrie. Beauboeuf, the magazine said, was offered three thousand dollars to supply testimony that would shore up the conspiracy charge against Shaw.

Garrison promptly released an affidavit Beauboeuf had signed. The affidavit said no one working for Garrison had ever asked Beauboeuf to tell anything but the truth.

Subsequently, New Orleans police investigated the Beauboeuf charge and said Garrison's men had been falsely accused. But that was just the beginning. *Three more bribery accusations have since come to light, two involving Louisiana prison inmates, one involving a nightclub and Turkish Bath operator. In each of those cases the charges that rewards were offered in return for allegedly false testimony or other help that would implicate Clay Shaw.* We will hear Garrison's comment on those charges later in the broadcast.

* * *

Garrison has expanded the scope of his charges to include not only a Shaw-Oswald-Ruby link, but the C.I.A. as well. Further, Garrison says he knows that five anti-Castro Cuban guerrillas, not Lee Harvey Oswald, killed President Kennedy. He says the C.I.A. is concealing both the names and the whereabouts of the Cubans.

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Mark Lane: There was one conclusion, one basic conclusion that the Commission reached, I think, which can be supported by the facts, and that was the Commission's conclusion that Ruby killed Oswald. But, of course, that took place on television. It would have been very difficult to deny that. *But, outside of that, there's not an important conclusion which can be supported by the facts and—and this is the problem.*

And what the Commission was thinking and what they were doing is still hidden from us, of course. The minutes of the Commission meetings are locked up in the National Archives and no one can see them. A vast amount of the evidence, F.B.I. reports, C.I.A. reports, which may be directly related to the information we should have, are also locked up in the Archives. No one can see that.

The photographs and X-rays of the President's body, taken at the autopsy in Bethesda, Maryland, taken just before the autopsy was begun, taken by Naval technicians, which in and of themselves might resolve the whole question as to whether or not there was a conspiracy, cannot be seen by anyone today and, in fact, not one member of the Warren Commission ever saw the most important documents in the case, the photographs and the X-rays. And not one lawyer for the Commission ever saw—was curious enough to examine the most important evidence.

I think the villain was the desire of government officials to be nice, to see to it that nothing would upset the American people, that the apathy which has seized us for all of these years be permitted to remain uninterrupted by a factual presentation of what happened. The American people would have been upset surely if they were told there was a conspiracy which took the life of your President.

Cronkite: *But Mr. Lane, who accuses the Commission of playing fast and loose with the evidence, does not always allow facts to get in the way of his own theories. In "Rush To Judgment," for example, he writes: "The statements of eyewitnesses close to the President tended to confirm the likelihood that the shot came from the right and not from the rear." Lane then quotes Associated Press Photographer James Altgens, and another eyewitness, Charles Brehm, as giving testimony that would support the idea of a killer on the grassy knoll. Yet Mr. Altgens,*

as we saw Monday night, is entirely certain that all of the shots came from behind, a fact that Mr. Lane does not mention.

As for Mr. Brehm, Eddie Barker discovered that he holds no brief either for the grassy knoll theory or for the use of his words by Mark Lane.

Eddie Barker: *Well now, some critics of the Warren Report have taken your testimony, or interviews with you, to indicate that you thought the shots came from behind the fence over there, what about that?*

Charles Brehm: *Well, as I say, it was not a number of critics. It was one critic, Mark Lane, who takes very great liberties with adding to my quotation. I never said that the—any shot came from here like I was quoted by Mr. Lane. Mr. Lane would like me to have positively identified the—what I saw fly over here—his skull—although I told him I could not—I did not—I thought it was but I could not. So, he has added his interpretations to what I said, and consequently that's where the story comes from that—that I said that the shots come from up there. No shot came from up there at any time during the whole fiasco that afternoon.*

Cronkite: *Nor are these the only examples of Mr. Lane lifting remarks out of context to support his theories. Perhaps the most charitable explanation is that Mark Lane still considers himself a defense attorney for Lee Harvey Oswald—and a defense attorney's primary duty is not to abstract truth, but to his client.*

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Cronkite: *Despite Mr. Specter's defense, it is the opinion of CBS News that the role of the F.B.I. as well as the Secret Service, both in the assassination and its aftermath, has been less than glorious. And, to some extent, the performance of these agencies weakens the credibility of the*

Warren Report. As to what the F.B.I. and the Secret Service did wrong before the assassination, we need look no further than the Report itself.

It notes the Secret Service agents assigned to protect the President had been drinking beer and liquor into the early hours of the morning, that no search was made of buildings along the route, and that, quote: "The procedures of the Secret Service, designed to identify and protect against persons considered serious threats to the President, were not adequate prior to the assassination," end of quote. That is, the Secret Service should have known about Lee Harvey Oswald.

But the Report goes on to point out that if the Secret Service did not know about him, the F.B.I. did, and did not see fit to mention his existence to the Secret Service. The report issues a mildly phrased yet devastating rebuke to the F.B.I., charging that it took an unduly restrictive view of its responsibilities. Knowing what the F.B.I. knew about Oswald, the Report says, an alert agency should have listed him as a potential menace to the President. Yet, after the assassination, the Commission itself relied heavily on these two agencies as its investigative arms.

Did their performance improve? We know that some of the tests conducted by them for the Warren Commission were unsatisfactory. In the first of these broadcasts we pointed out that to simulate Oswald's problem of hitting a moving target from a sixty foot high perch, the F.B.I. conducted its firing tests on a fixed target, from a 30-foot height. Certainly, if CBS News could duplicate the conditions of the actual assassination for a firing test, the feat's not beyond the capability of the F.B.I.

Rather: *There is also the case of the famous exhibit 399, the bullet which the Commission thought wounded both the President and Governor Connally, winding up on*

the Governor's stretcher in Parkland Hospital. Critics of the Report, you will remember, insist it couldn't have hit both men but must have been found on the President's stretcher. Yet, part of the now permanent confusion surrounding the bullet and where it was found, must be charged to the cavalier attitude of agents of both the F.B.I. and the Secret Service at Parkland Hospital.

On Monday night, hospital attendant Darrell Tomlinson described how, in shoving a stretcher into place, he dislodged a spent rifle bullet. Mr. Tomlinson quite properly sent at once for the hospital's chief of security, O. P. Wright. Mr. Wright describes what happened then:

Wright: *I told him to withhold and not let anyone remove the bullet, and I would get a hold of either the Secret Service or the F.B.I., and turn it over to them. Thereby, it wouldn't have come through my hands at all. I contacted the F.B.I. and they said they were not interested because it wasn't their responsibility to make investigations. So, I got a hold of a Secret Serviceman and they didn't seem to be interested in coming and looking at the bullet in the position it was therein.*

So I went back to the area where Mr. Tomlinson was and picked up the bullet and put it in my pocket, and I carried it some 30 or 40 minutes. And I gave it to a Secret Serviceman that was guarding the main door into the emergency area.

Barker: *Mr. Wright, when you gave this bullet to the Secret Service agent, did he mark it in any way?*

Wright: *No, sir.*

Barker: *What did he do with it?*

Wright: *Put it in his lefthand coat pocket.*

Barker: *Well now, did he ask your name or who you were or any question at all about the bullet?*

Wright: *No, sir.*

Barker: *How did the conversation go? Do you remember?*

Wright: *I just told him this was a bullet that was picked up on a stretcher that had come off the emergency elevator that might be involved in the moving of Governor Connally. And I handed him the bullet, and he took it and looked at it and said, "O.K.," and put it in his pocket.*

Cronkite: *There is little to praise in such treatment by the F.B.I. and the Secret Service of perhaps the most important single piece of evidence in the assassination case. Moreover, the Warren Commission seriously compromised itself by allowing the Secret Service, the F. B. I. and the C.I.A. to investigate questions involving their own actions.*

Rather: *The Commission had before it the hard fact that Oswald's notebook contained the name, phone number and license plate number of Dallas F.B.I. agent, James Hosty. The F.B.I.'s explanation was that Hosty had asked Ruth Paine, with whom Marina Oswald was living, to let him know where Oswald was staying, that he jotted down his phone number and that Marina under prior instructions from her husband, also copied down Hosty's license plate.*

Cronkite: *The question of a link between the killer and the F.B.I. was indeed a legitimate part of the investigation. The Commission's handling of that question is scarcely justifiable. What it did was to accept as conclusive sworn affidavits from J. Edgar Hoover, and other F.B.I. officials, that Oswald was never employed in any capacity by the F.B.I.*

The Commission says it also checked the F.B.I.'s own files, but mentions no other investigation. It followed the same curious procedure with the C.I.A., taking the word of top C.I.A. officials that Oswald had no connection with that agency either. The Commission then came to the

sweeping conclusion that there was absolutely no type of informant or undercover relationship between an agency of the U. S. Government and Lee Harvey Oswald at any time.

Now, elsewhere, the Warren Report argues persuasively the difficulty of proving a negative, of proving in that case that Oswald was not a member of a conspiracy. You will remember that it hedged its conclusion, saying only that there was no evidence of a conspiracy.

Yet the Commission had no hesitation in asserting another far reaching negative: that Oswald was not involved with any agency of the U. S. Government ever. Oswald's mother, Marguerite, has always maintained that her son was a government agent—she favors the C.I.A.—and that he was innocent of the assassination.

Barker: *Mrs. Oswald, what sort of proof do you have that your son was an agent of this government?*

Marguerite C. Oswald: *Now, proof, Eddie—that's a very strong question. I think the Warren Commission members themselves gave Marguerite Oswald the proof. They want us to believe that Lee Harvey Oswald went to Russia as a defector. And yet he got out of the Marine Corps three years before his hitch was up on a Dire Need discharge. Now, this is documented. This is what they tell the American people. They go into great details, that Lee Harvey Oswald got out of the Marine Corps three months ahead of time because his mother had an accident —which was the truth, and it all went through the Red Cross legitimately.*

And when he came home, he stayed with his mother three days. We sort of know that story. And then he left for Russia. And, so, this is supposed to be all cut and dried. But when you read the Warren Report, and when you know the case—and this is my case, and my son's—

so I know it, then you see a little part where the Warren Commission says, the documentation says, that Lee Harvey Oswald was given a passport by the State Department to travel to Russia, the Dominican Republic, Cuba, and et cetera; and at that time these countries were not restricted.

Now, how can Lee Harvey Oswald get out of the Marine Corps three months ahead of time on a Dire Need discharge, and at the same time be issued a passport to travel?

Cronkite: *The evidence is overwhelming that Mrs. Oswald is wrong as to whether her son did assassinate the President. Yet, there remain disturbing indications that she may not be quite so wrong about some kind of link between Oswald and various intelligence agencies of the United States. The question of whether Oswald had any relationship with the F. B. I. or the C. I. A. is not frivolous. The agencies, of course, are silent.*

Although the Warren Commission had full power to conduct its own independent investigation, it permitted the F. B. I. and the C. I. A. to investigate themselves—and so cast a permanent shadow on the answers.

* * *

Rather: Right now, long after the fact of the Commission Report being out, right now, what bothers you most about the Report? Are there any—is there a central question, or central questions that bother you most?

Epstein: There is one central question that does bother me, and that is—involves the autopsy that was performed on President Kennedy. And there was a conflict—really, a contradiction, between the F. B. I. report on the autopsy, which the F. B. I. says they received from the autopsy doctors—at least they said in these reports, and the autopsy report published by the Warren Commission. And I don't

think we have to get into the exact details, but it wasn't absolute—if one was true, the other couldn't be true. It concerned the path of the bullet through President Kennedy's body. The F. B. I. said it didn't go through, it only went in a short distance. The Warren Report said it went—or the autopsy in the Warren Report said it went clean through and exited.

There was evidence, evidence that I think any lawyer or law court would have demanded, and that is the actual photographs of the autopsy and the X-rays.

Cronkite: *Almost from the day the Warren Commission published its report, its decision to omit those vital X-rays and photographs has been under attack. Only that physical evidence, say the critics, can finally resolve the debate over how many bullets struck the President, where they came from, and where they went—the central questions in the argument over how many assassins opened fire in Dealey Plaza.*

More than one critic has charged that the autopsy record in the Warren Report is not the original autopsy, but has been changed to conform with the Commission's theories. You will remember that after a silence of three and a half years the doctor who headed the autopsy team at Bethesda Naval Hospital agreed to re-examine those disputed photographs and X-rays, and review his findings for these broadcasts. And here is what Captain James Humes told Dan Rather.

Humes: The Report, as I stated, is exactly the way it was delivered, and the way it was written.

Cronkite: *Yet it seems to CBS NEWS that one of the most serious errors made by the Warren Commission was its decision not to look at those photographs and X-rays, an error now compounded.* For the Kennedy family, which had possession of the autopsy pictures, agreed last year to

donate them to the National Archives, but only with the stipulation that the pictures be locked away for five years—with only certain authorized government personnel allowed to see them.

Now, no one would propose that those grim and tragic relics be made generally available, to be flashed across television screens and newspaper pages. But in view of their crucial bearing on the entire assassination we believe that those films should now be made available for independent examination by expert pathologists, with the high qualifications of Captain Humes—but without his status as a principal in the case.

There is one further piece of evidence which we feel must now be made available to the entire public: Abraham's Zapruder's film of the actual assassination. The original is now the private property of LIFE Magazine. A LIFE executive refused CBS NEWS permission to show you that film at any price, on the ground that it is, quote, "an invaluable asset of Time, Inc." unquote. And that, even though these broadcasts have demonstrated that the film may contain vital undiscovered clues to the assassination.

LIFE's decision means you cannot see the Zapruder film in its proper form, as motion picture film. We believe that the Zapruder film is an invaluable asset, not of Time, Inc.—but of the people of the United States.

* * *

CBS Reports, "Black Power, White Backlash," September 27, 1966

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Wallace: That was Ivan Allen, the Mayor of Atlanta, Georgia . . . a leading moderate on racial matters in his native South. He strongly favored, and testified in behalf

of the 1964 Civil Rights Bill. His city has long been looked on as remarkable for its progress in relations between the races. It is also the home of the National Headquarters of SNCC—The Student Non-violent Co-ordinating Committee.

(Black Power chants)

The head of SNCC is Stokely Carmichael, a twenty-five-year-old revoluntionary, born in the West Indies, educated at the best high school in New York, a college graduate, with a degree in Philosophy. It was here in Mississippi this summer that Carmichael—with his cry for "Black Power"—became a national figure, and . . . to many . . . a frightening one.

(Black Power chants)

I talked with Stokely Carmichael one night earlier this month, in Atlanta. He wore an African toga given him by Sekou Toure of Guinea . . . a reminder—he said—of his African heritage.

Carmichael: I think that there's a realization that black power is not just a mere slogan, nationally or internationally. It is real that black people can come together and start determining for their lives how they're going to live and controlling their economic and political lives.

Wallace: But why talk about dynamite sticks if Molotov cocktails won't work? When you talk of black power, building a movement that will smash everything that Western civilization has created, when you say that black power should bring the country to its knees any time it messes with the black man, and these are quotes from Stokely Carmichael, the picture has got to be, in the minds of white men and black men, one of a man who threatens violence.

Carmichael: On the contrary, if you say that you have to bring the country to its knees if it messes with the black man, you're saying that the only protection for black people is that they unite, so that when one black man is touched because he's black there's some protection for him. Now, it's obvious that that protection does not exist in this country. It does not now exist. And the only people who can have that protection are black people, and black people know that. Now, white people may not know that. So it means that you have to build a movement so strong in this country that if one black man is touched every black man will rise up and let this country know that they're not going to tolerate it.

Wallace: If one man—if one black man is touched?

Carmichael: That's right. Because he's black. I mean, if a black man is walking down the streets of Mississippi, down the highway with a Bible in his hand, he is shot because he is black.

Wallace: That's one incident . . .

Carmichael: I can name you a lot others, and you know that yourself.

Wallace: In the Northern ghettos.

Carmichael: *If one black man in California is driving his pregnant wife to the hospital and he is shot by a white racist policeman.* I can name you more incidents.

Wallace: Then, you're saying, "Fight violence with violence?"

Carmichael: I'm saying that we must build a movement of black people that will protect ourselves so that we are willing to stop that by any means necessary. Now, I'm not concerned about the question of violence. It seems to me that that will depend upon how, in fact, white people respond. If white people, in fact, are willing not to bother with black people because they are black, then there's going to be no question of violence.

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Wallace: When you read stories about difficulties, riots, in Omaha or Cleveland, or Brooklyn, or Chicago, or wherever . . .

Carmichael: I call them rebellions.

Wallace: They're rebellions, and you see nothing wrong with them?

Carmichael: I think that it is people who are rebelling against a system that has locked them inside tight ghettos, that exploits and oppress them and they have no means of redress to break that system down. We intend to build within black people the realization that that problem is not theirs, that it was created by white society. It's purposely created by white society and then they throw it back on us and blame us.

* * *

Wallace: You're one man, you're one black man who went to a good, essentially white high school in the City of New York . . . You obviously have had a good education. A good many of the people who work with you here in SNCC can say the same thing . . . And you're a black man who came from a New York ghetto.

Carmichael: And we're saying that there's a system that allows for one or two black people to get out. And that that's the rationale for keeping the other black people down.

Wallace: *And it has nothing to do with the unwillingness or inability of the Negro to help himself and to work hard?*

Carmichael: *That's the rationale, that the reason why black people are this is because they're lazy, unambitious, stupid, have rhythm and eat watermelon.*

Wallace: You call on the black man to refuse to respond to his draft call.

Carmichael: That is correct, and we will continue to do so while there is breath in our bodies.

Wallace: Do you really believe that the military policies of the United States are designed to exterminate the black man, as you've said?

Carmichael: I most certainly do. I look at the recent statement by *racist McNamara,* who says that thirty percent of the people that are going to be drafted now under his new system are going to be black people, and that's nothing more than black urban removal.

Wallace: The white liberal, who supported civil rights for so long with time and effort and money . . . what is your feeling about him?

Carmichael: Well, I think that there's no reason they should stop supporting the movement now. I certainly feel that if they're genuinely interested in black people, and since black people have charted a course, if they believe in that program they will continue to give to it.

They need more white people to civilize whites. *They need them to civilize the savages in Cicero who throw rocks and bricks at a peaceful and lovable black man like Dr. Martin Luther King, who would not even hurt a fly. That's very important . . . because our uncles and our fathers and our older brothers died in World War I fighting Nazism to protect the Poles and those same Poles turn around and throw rocks and bricks at us after we died to save their lives. And people talk about we are savages.*

* * *

Watts: . . . I feel that at this juncture, because over a period of a hundred years *the white establishment has built a barrier between the white power structure and the black community, this barrier being a wall consisting of neurotic white liberals and their house niggers that they draw from the community with their various lame-brain schemes to integrate us.* The first thing that we have to do is knock this wall down forcibly, in order to confront the white power structure with our demands.

Wallace: *Who are the house niggers you are talking about?*

Watts: *Roy Wilkins. Your Martin Luther Kings. Your Whitney Youngs.*

* * *

Wallace: If there was a symbol of white anger at Negro protest in the North this summer, it was Cicero, Illinois, a town chosen by Dr. Martin Luther King as the pressure point in his open housing drive. *Cicero is a town with an inferiority complex. It winces at public attention because, back in prohibition days, it was notorious as the home of Al Capone, of bootlegging, B-girls, gambling.* Today, it just wants to be left alone. But Dr. King had other ideas.

King: *I think Cicero in the North symbolizes the same kind of hard core resistance to change as Selma in the South. And I think it will in fact eventually be the Selma of the North* in the sense that we've got to have a confrontation in that community.

Wallace: *Cicero is no stranger to racial violence.* Fifteen years ago, a Negro family tried to move into this apartment dwelling there. An angry mob tossed the family's furniture out a third floor window and made a bonfire that blazed 10 feet high. The National Guard had to be called in to restore order. No Negro family has tried to move in since.

But late in the summer, Negroes marched on Cicero . . . led by militant organizations. And once again, the National Guard had to be called out, to prevent bloodshed. The reaction of some of the residents of Cicero and many whites from surrounding areas was predictable. Bricks, bottles, taunts and catcalls were aimed at the marchers. The hostility was mutual . . . bitter . . . and undisguised. The question was why? Why Cicero? And is this the kind

of reaction we can expect all across the North, as Negroes press to live in white communities?

Cicero is a town of first and second generation Americans . . . mostly Czechs, Poles, Lithuanians, Italians, plus a late sprinkling of whites up from the United States South. Mostly blue collar workers, hardworking, law-abiding, overwhelmingly Republican, overwhelmingly for Goldwater in the last election. Homes are built one hard upon the other, scarcely a step apart. There is little vacant land in Cicero, virtually no slum, and there is fierce pride in property.

The average person out here—he's not a bank president, he's not a wealthy industrialist—he's an $80, $90, $100-a-week man. Maybe now, when times are good . . . he's making a hundred and twenty. The biggest investment he'll ever make in his life is that house. That house to him means . . . it's everything in the world for him. When someone is going, is going to bring down the value of that home or destroy it or his neighbor is going to live in such a way that it may affect his property, this hits him right in the heart and in the pocketbook both, and he'll fight for it.

Wallace: I walked down 25th Place, an attractive if modest residential street, picked at random . . . houses worth $15,000 to $25,000. Why, I wondered, is it so important to keep Negroes from living here? As you listen to the answers, ask yourself how different is the reaction in your own community.

Man: Well, I'll tell you. *Property depreciates when Negroes move into a certain neighborhood. They'll buy one building, and there'll be a dozen families move in that building . . . and you got a mess.*

Wallace: Of course, these are just one-story, one-family buildings here, most of them . . . some of them two families.

Man: Well, if they bought this building here, which is a six room apartment, they might have two families living in there. They might put another family down in the basement—maybe two families down in the basement. There, you take and have a messed area.

Wallace: So, it's just because you think they might be messy neighbors. That's the only reason?

Man: That's all. That's the only reason. If there was one family in one building and they took care of their place, I don't see why people wouldn't tolerate them.

Wallace: How would you feel about Negroes moving in here to Cicero?

Little Girl: Well, I really don't know. Some Negroes are clean and some aren't. If they moved in on this block and they were clean, I would play with them.

Wallace: What does your Mom and Dad say about it?

Little Girl: Well, they say—well, I really don't know. They don't say too much about it.

Wallace: Are they enthusiastic or no?

Little Girl: No. My Dad said that if they do . . . well, we're just going to have to move . . . . . maybe.

Wallace: Is that your Mother up there working?

Little Girl: Yes, it is.

Wallace: Let's see if I can't talk to her for just a moment. Ma'am, I wonder if I could ask you to come down the stairs just for a minute and talk to me. There's been so much talk recently about Cicero and Negroes and property values, what's your view?

Woman: Well, I'm perfectly satisfied with the neighbors we have. We have old homes here; we take very good care of them.

Wallace: I see that you do.

Woman: And, when it would come right down to it, I don't think we would object to other neighbors if they would come up to our standards of living.

Wallace: Do you think that the fact that a man is a Negro, or a woman is a Negro—on the face of it simply makes them an undesirable neighbor?

Woman: No, not really. I have known so many colored people that are so nice, but like I say, *I think they have to learn to live the way we do, and take care of things.*

Wallace: How do people learn to live that way?

Woman: Out of hard work. We have worked very, very hard for what we have. We've been here thirty years and we didn't get anything for nothing. We worked very hard for what we have, and we're still working hard to maintain it.

Wallace: How would you feel, truly, if a colored family were to move in over there where the wash is hanging on the line?

Woman: Well, I don't know. . . . I really couldn't say. I'd probably get along very good with them. If they leave me alone, I leave them alone. *I'd probably be afraid to go out at night* (She Laughs)

Wallace: *Afraid to go out at night?*

Woman: *On account of the colored people living around here.*

Wallace: *Do you mean—do you think they're a violent people?*

Woman: *Some of them are. There are some that really would be like that.* And there are some good ones too. *You really couldn't trust any of them.*

Young Boy: There are many good coloreds, and I worked with some of them and I like them, and I like this person that I said works at the lounge over there. But the ones that are going to march, I don't like, and I can't stand. I got no use for it.

* * *

White Woman: *But I don't want to live with them.*

Wallace: *Why?*

White Woman: *Because I moved out of a neighborhood that was colored. I had to move. Everybody that lives with the colored has to move.*

Wallace: *Why?*

White Woman: *Because you're not safe walking the streets at night. You cannot leave the house.*

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CBS News Special Report "Civil Rights: The View from the South," July 12, 1966

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Mike Wallace: But how can you—how can there be a reconciliation in Mississippi unless the responsible civil rights leaders and the responsible leaders in the white community establish a dialogue as, for instance, they have in Arkansas, as they have in Louisiana? I'm certain that you want that as much as anybody——

Governor Johnson: We have a dialogue in our state. You have a dialogue between the Governor and any responsible Negro citizen of the State of Mississippi.

Mike Wallace: Who determines whether that citizen is responsible or not? The Governor?

Governor Johnson: I would, as you would, as to who would come and visit you at your home or at your office, but I would like to point out to you that *we have very very few, if any, real Negro leaders in the state who have taken a non-violent attitude.* Now, the one thing that we're going to insist on in our state——

Mike Wallace: *Certainly the N. A. A. C. P. has, Governor Johnson. Certainly they have, and certainly S. C. L. C.*

Governor Johnson: *No, they have not. They laid down in the middle of the highway. They chucked rocks, bottles, at people, down at Alcorn College, in the middle of the highway——*

Mike Wallace: *Without provocation, sir?*

Governor Johnson: *Yes. Without provocation, because they were—they were being led by a group who did, to a great extent, believe in violence.* If they had not, they would have had a group that they could—could control and would take orders, do as they said. Now, the people who come into my office are Negroes by the thousands. I have appointed on many commissions in my state outstanding Negroes who are serving on commissions and on boards now that pertain to education, that pertain to the food stamp program——

Mike Wallace: *But you won't sit down with the civil rights leaders, any of them, Aaron Henry, Charles Evers.*

Governor Johnson: *No. I don't, because I don't consider them as the responsible leaders of the Negro community in my state.*

* * *

Mike Wallace: Black power in Mississippi, Governor Johnson?

Governor Johnson: Black power, of course, this phrase was begun in Mississippi about two weeks ago during this march. *This chant came from Negroes in this country who class themselves as civil rights leaders, who are—have shown great irresponsibility.* I think that the black power slogan that they have come out with certainly points up to the rest of the people of this country, both black and white, that what they would do, if they are irresponsible as citizens, what would they do if they had power? So this black power structure that you hear so very much about is more or less the chant of the irresponsible Negro and irresponsible white of this country.

Mike Wallace: They would say to you that the Negro is frustrated by his inability to crack the barriers of white power, the economic barriers, the political barriers, the

social barriers, and that really all they want to do is where they are in the majority have the right to control their own destiny, economically, politically. Isn't really that what—what black power means?

Governor Johnson: I don't think that that is what these people believe that black power means, because they are the irresponsible, violent-type persons in this country, and people, whether they are white or whether they are black——

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CBS Reports, "Murder and the Right to Bear Arms," August 7, 1966

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. . . This senseless killing of two policemen, which left six children fatherless, was committed, authorities say, by a man carrying a concealed weapon. How he legally bought the gun and how he used it was traced by David Lowe of CBS NEWS.

Lowe: *In November 1963, Leaman Russell Smith, after serving a sentence for robbery, was conditionally released from Leavenworth Penitentiary in Kansas. Warden John C. Taylor said:*

Taylor: *Smith has lived a life of violence and, of course, he relies on weapons and the first thing he would think of when he gets out is to get a weapon so he could enforce his will,* and Smith could have purchased a gun within thirty minutes after we released him if he had not been released in custody. There's no law in the city of Leavenworth or the State of Kansas to my knowledge that would prevent a prisoner being released from an institution walking in and buying the gun over the counter just like a pound of coffee.

Lowe: A month later, on December 19th, in Flagstaff, Arizona, it is claimed the ex-convict, using an alias of Lawrence Parker, bought a gun in Andy's Liquor and Sporting Goods Store. Proprietor Andy Buntin recalls the sale.

Buntin: Well, to the best of my recollection, Mr. Lawrence Parker came in and wanted to buy a .38 snubnosed Smith & Wesson, which is this gun right here. They call this the airweight. It's a very light model of the .38-caliber gun.

Lowe: Could you tell me about the laws concerning the sale of pistols here?

Butin: Well, anyone can buy a pistol but I have to register the pistol at the time he purchases it. By that I mean that I have to record the serial number and the man's name and address.

Lowe: You don't have to ask him if he's an ex-convict?

Buntin: No.

Lowe: You don't have to ask him any question whether or not he was in a mental institution?

Buntin: No.

Lowe: On the evening of February 1st, authorities charge that Smith, carrying the .38-caliber concealed weapon he bought in Flagstaff, Arizona, entered a Sears Roebuck store in Los Angeles. Reportedly, he tried to cash a fraudulent check. The cashier became suspicious. Approximately 8:21 P. M., police officers Endler, Monaghan and Jurman arrived. There were five shots and seconds later Officer Endler and Sergeant Monaghan were dead, Jurman wounded.

Police learned the suspect got out of Los Angeles on a freight train the night of the killing. The next day he was reported seen in Denver, Colorado and the Denver police broadcast an alarm.

Bulletin: . . . reportedly is always in possession of two .38-caliber revolvers, one of which he carries on the left front inside his trousers. Considered extremely dangerous.

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Maxwell: If you want to buy a gun, why, you could just go in and buy it. There's no—he could ask you questions, but you wouldn't necessarily have to tell him anything. You can buy a gun under any name you wanted to buy it under. *As I say, these people are in business to sell guns and they don't care whether they sell it to John Doe, or Joe Blow, or whatever the name is, as long as they get their money.*

Lowe: *Andy's Liquor and Sporting Goods Shop bought the weapon from Babbitt Brothers, a wholesaler in Flagstaff, who in turn purchased it from the manufacturer, Smith & Wesson in Springfield, Massachusetts.*

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Trout: Whether they are for a mentally ill woman in Virginia, a playful child in Texas, a juvenile delinquent in California or for a criminal in Illinois, millions of guns are available and easy to buy by mail or in stores.

The selling of guns by mail has become a multi-million dollar business. To reach buyers dealers use trade magazines, newspapers and catalogs. *One well-known dealer, the Service Armament Company in Ridgefield, New Jersey, issues a colorful inventory of items with advertising geared to entice the reader. The Persian Mauser Carbine is advertised to be "short, deadly and compact." The catalog says, "The Shah himself test-fired each gun." If you'd rather not trust the Shah, you can buy a Beretta automatic pistol advertised as "the choice of soldiers of fortune everywhere." A Nazi P-38 pistol sells for less than forty dollars, and ammunition to fit is available at five dollars a hundred rounds. For the man who wants something heavier there*

is a goodly selection of machine guns. A German bazooka is available for twenty dollars. And for the man who has everything—an anti-tank gun. This handy item was recently purchased by two fun-loving young men from New Jersey, who hauled it to a hilltop and shot up a tractor a mile away. Inside the back cover of the catalog, the Service Armament Company warns: "Firearms and dangerous weapons not sold to minors; parents may order for them."

* * *

Trout: Last month near Wapella, Illinois, Treasury Agents seized a stockpile of weapons—enough to outfit a small army—including submachine guns, a flame thrower, aerial bombs, mortars, automatic pistols and rifles. Arrested was a one-time regional leader of the Minutemen.

The Minutemen—a self-styled guerrilla force of extreme views—train with weapons for the day they fancy they will be called on to fight in the streets. Some members were filmed on maneuvers in another state. According to a recent ruling by the United States Attorney General's office: "There is no evidence that the Minutemen organization has violated any Federal laws."

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Senator Ralph Yarborough: The opposition of the National Rifle Association of which I am a member and have long been a member is one of the main factors that's organized to fight this. I think they are utterly wrong. *I think they almost join the frenetic fringe in the type of lobbying they do.*

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CBS Reports, "Robert F. Kennedy," June 20, 1967

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Mudd: One of the obvious disadvantages is that most of the John Kennedy haters of the early sixties—some

Southerners, businessmen and conservative suburbanites—have now become the Bobby-haters of the late sixties. *And even some anti-Kennedy Democrats—such as maverick Mayor Sam Yorty of Los Angeles—resent what they regard as the Senator's deliberate attempt to capitalize on the memory of John Kennedy.*

Mayor Samuel Yorty: *I think so. I think he's trying to ride on the—on the name of President John F. Kennedy and the good will that the people feel toward him, especially since he was a martyr, and I doubt very much if he could have been a Senator without his father's fortune and his brother's fame.*

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Mudd: Perhaps Kennedy's dissent is designed to establish himself as the alternative leader of the Democratic party. Whatever his motives, his dissent has broken the President's seeming ownership of every phase of Washington life. He has made the capital a two-man town. *Los Angeles Mayor Yorty has no doubt that every Kennedy move is calculated.*

Yorty: *I think he has this all figured out. His stand on the bombing does endear him to pacifists and the left wing, those who are dupes of the Communists, those who are Communists and some people who just, of course, have been misled and I think his feeling is that if the war ends well, that it will all be forgotten and if it doesn't end well, he could say, "Well, I told you so, we should have stopped the bombing."*

Mudd: *Sam Yorty, who was subjected to a rugged Senate interrogation by Kennedy after the Watts riots, is convinced of the fitness of the word most commonly applied to Robert Kennedy—the word "ruthless."*

But for members of the Senator's family, who claim they know him best, the word has an amusing ring.

(Mudd Talking to Senator Edward Kennedy:) But you're competitive and you have strong feelings, and I don't hear Edward Kennedy described as ruthless. What's the difference?

Edward Kennedy: Well, I suppose you couldn't have two ruthless brothers.

Mudd: *But it is no joke to those who harbor resentment at their treatment by Kennedy: The tv producer who got pushed too hard in the 1960 Wisconsin primary; the Democratic Senatorial candidate in Nebraska who got scorched because he couldn't pull the party together; the over-worked Justice Department lawyer during the Hoffa prosecution; the New York voter who still sees Kennedy as a power-grabbing carpetbagger.* And it is no joke to those who have only read about Kennedy's reputation and who are eager to believe everything bad about him. *The word "ruthless" was probably first applied to the Senator ten years ago when he was the combative, bird-dogging chief counsel for the Senate Rackets Committee; it gained currency during 1960 when he managed his brother's presidential campaign, and when his style came across to the old-line Democratic pols as too tough, too self-confident, too sophisticated.*

It became established in the early sixties when as Attorney-General he pursued the demons of segregation, racketeering, and price-rigging in a way many thought *too zealous;* and it was kept alive in 1964 when he switched allegiance from his native state of Massachusetts to New York simply because there was a political opening. Today the "ruthless" reputation is not any longer a matter of proof or disproof; it is, whether justified or not, a fact of life for Robert Kennedy, and there seems little he can do to change the minds of those who do not want their minds changed.

In listening to the next six persons, remember they are all talking about the same man.

Gore Vidal: *He's much too abrasive. He's much too rude.*

Pierre Salinger: He is terribly concerned about people around him. He is terribly concerned about people in general.

Mayor Yorty: *He's been built up with this almost idolatry around him and I guess he just feels that everybody should defer to what he wants and to accept his judgment on all problems.*

Edwin Guthman (Former RFK Assistant): I think it stems mostly from the fact that he's had the courage of his convictions, and the courage to do what he thinks was right and to take it head on, and so people who don't like what he's done have said, "Well, he's ruthless."

William Manchester: I would describe Bob as dedicated and loyal. *I would qualify that by saying that Bob believes so strongly in the ends he is pursuing, that he is not over scrupulous about the means that he employs.*

Joseph Dolan (RFK Administrative Assistant): He's a strong individual, in the sense of character and determination, but I don't think he's ruthless if that's—if that's what you mean. He's determined and persistent.

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Mudd: The Senator has three legislative assistants: 36-year-old Wendell Pigman, graduate of Cornell, Princeton, the Budget Bureau, the Space Agency, and the expert on science and natural resources.

Twenty-nine-year-old Peter Edelman, a graduate of Harvard Law, who clerked at the Supreme Court, and worked briefly for the Justice Department. Edelman does most of the research on poverty and labor legislation.

And Adam Walinsky, 30-year-old Yale School graduate, also up from the Justice Department, *known as brash and cocksure,* but undeniably talented. He works mainly on foreign affairs.

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Mayor Yorty: I think he's trying for the Presidential nomination, yes. I think he has tried to build his political image for 1968 or 1972. I think he's—he was trying to keep himself in the position of having alternatives, being flexible. I think he is—*he's almost insidiously clever about the way he figures the political possibilities.*

Pierre Salinger: Well, it's very hard, I suppose, for a person who is as much in the forefront in political life as he is—who is, for example, constantly pitted in polls against various candidates—not—I mean, the thought has got to—crosses his mind . . . but if you asked me whether I thought that every single deliberate act of his life was aimed at getting to the Presidency, I would say no, because I know—I've talked about this subject with him.

Gore Vidal: Yes I think he's consciously and deliberately running for President. How could he not? *He has this sense—this family sense that it is written in stars that they be first, and he's doing everything possible.* I think the signs of gloom that you get in some of his statements when he says—"How can you plan ahead—who knows if one is going to be alive"—I think that's quite sincere, but we all feel that if we are at all thoughtful. But you always act as though you will be alive and you make the movement toward what you want. What he wants is the Presidency.

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CBS Reports, "The New Left," September 12, 1967

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Stout: The Mississippi project more than doubled Negro voter registration from 25,000 to 68,000. But even

with that, the Negroes had no voice; so the Mississippi Freedom Democratic Party was formed. Fannie Lou Hamer, a leader in the voter project, explains.

Fannie Lou Hamer: We didn't have no other choice except being a Freedom Democratic Party because what had happened—we tried from the beginning, from the precinct level to go into the regular party. And after we wasn't accepted, we decided to have something of our own—not just for black people in Mississippi, but for white as well.

Stout: Bob Moses, Mrs. Hamer, and Aaron Henry led the Freedom Party delegates before the Credentials Committee of the Democratic National Convention, summer 1964, Atlantic City. Their demand to replace the segregated, all-white Mississippi delegation was a critical test of the values of American liberalism and it was posed, above all, in moral terms.

Aaron Henry: We don't think that there can be any compromise with what we consider a wrong position or a wrong element. We don't think that the Mississippi Democratic Party espouses the philosophy of the national Democratic Party and we think that we do. And we don't see why there should be any compromise between an issue that is involved in this much of being right or being wrong.

Stout: The settlement worked out by Hubert Humphrey with White House approval was a political compromise offering two seats to the Freedom Party, the rest to the segregationist delegates. To party politicians, it was just one more compromise needed to hold together hostile groups making up the Democratic coalition. But to members of the Movement, it was something else.

Fannie Lou Hamer: *But I think what happened to us in Atlantic City made people really aware that the government is not really with the people, for the people, by the*

people but for a handful of folk. And the people don't have anything to say.

We were told there if we kept up what we was doing, that the Vice President wouldn't be nominated that night. And that's when I asked Mr. Humphrey: Was his position, one man, more important than black peoples' lives in Mississippi that was suffering through what they had gone through. And then after that, I wasn't allowed to go to no other meetings with the big, top leaders.

Stout: In the literature of the New Left, Atlantic City is described as conclusive evidence that for the young radicals, liberalism could no longer serve as a vehicle for social reform. *The New Left's opinion of liberals was reinforced nearly three years later when Hubert Humphrey publicly embraced Lester Maddox who, before becoming Governor of Georgia, had waved a pistol and prescribed axe handles as the answer to demands for racial equality.*

Lester Maddox: Say, you customers, go get some more axe handles.

Stout: To the young radicals, black and white, who had been in Mississippi, Atlantic City was the turning point. It proved to them that they could trust no one over 30, certainly not on moral issues and especially not liberals.

In the fall of 1964, students of the New Left went back to the campus carrying with them some of the hard lessons of civil rights and political reality. They claimed the right to continue their political activity on campus and the moral clash of the summer now became a battle against bureaucracy.

Peter Paul and Mary (Singing): "How many roads must a man walk down before they call him a man . . ."

Stout: At the University of California in Berkeley, the square in front of the Student Union was traditionally open to speeches, discussion, and debate. Then without notice,

the University ordered a ban on all political recruiting and fund-raising in the square.

Peter Paul and Mary (Singing): "The answer is blowing in the wind. . . ."

Stout: To students like Mario Savio, who had already been bruised in the civil rights battle, it was another move by the faceless bureaucrats to enforce their decisions without consulting those directly involved. But this time the students fought back. *Their Free Speech Movement quickly evolved into a larger indictment of the university as a knowledge-factory.*

Jack Weinberg: *This is mass production. No deviations from the norms are tolerated. Occasionally a few students get together and they decide that they are human beings. Some students get together and they decide that they are not willing to be products. They decide they're not willing to be another thing produced by the university.*

Policeman: Have you identified yourself? You would be disciplined by the Dean's Office. If you're not identifying yourself, we're arresting you because you must be an outsider.

Weinberg: What—what section?

Stout: The university said the state's authority to regulate political activity on state property could not be challenged. Three months of conflict between the students and the administration finally brought an announcement of concessions by President Clark Kerr.

* * *

Stout: Carmichael's early definitions of black power seemed no different than the calls for Irish, Polish, or Italian power that resulted in ethnic bloc voting in the cities.

Carmichael: Black power is not just a mere slogan nationally or internationally. It is real that black people can come together and start determining for their lives how

they're going to live and controlling their economic and political lives.

Stout: *But the scare-headline potential of black power proved irresistible both to Carmichael and to reporters.* They prodded him repeatedly to redefine black power closer to terms of the defensive violence he advocated to Negroes when they were attacked.

Mike Wallace: Then you're saying, "Fight violence with violence?"

Carmichael: I am saying that we must build a movement of black people that will protect ourselves so that we are willing to stop that by any means necessary. Now I'm not concerned about the question of violence. It seems to me that that will depend upon how, in fact, white people respond.

Stout: Carmichael has been touring Communist nations. The deepening Negro radicalism is seen also in the Black Panthers' armed march on the California Capitol as well as in RAM, the pro-Chinese Revolutionary Action Movement. The increasing identification of the U. S. Negro with the plight of colonial colored peoples climaxed with SNCC support of the Arabs against Israel. *The most violent extremism has been urged by the new head of SNCC, Rap Brown, who has been charged with inciting to riot.*

Rap Brown: We stand on the eve of a black revolution, brothers. Masses of our people are in the streets. They're fighting tit for tat, tooth for tooth, eye for an eye, and a life for a life. The rebellions that we see are merely dress rehearsals for the revolution that's to come. We'd better get ourselves some guns and prepare ourselves.

Stout: But many Negroes feel that Brown, Carmichael, and SNCC, are only scapegoats to absorb official anger and frustration.

* * *

Stout: *The Newark Democratic city administration generally ignored the SDS organizers, except to brand them troublemakers.* Far bigger trouble erupted the night of July 12th of this year. We talked to Hayden three weeks before the riots. His awareness of what could happen was coupled with a sense of inevitability.

Hayden: If things are as bad as we think they are, if the schools in Newark where I live are, in fact, on the average 75 years old, if unemployment is 15 per cent, if all these problems exist, then you have to ask yourself the question: Why have the leaders not been able to do something about this and are the leaders the people to organize if you want to make change?

The War on Poverty may have had decent Democratic intentions at some point, but has turned out to be a very serious fraud. And it is not stopping racial violence at all, but encouraging it because *it's one more promise that's not being kept by the Federal Government.* So I would say it is—it is an attempt to—an artificial attempt to restore law and order to a situation that is basically unjust and until you deal with the injustice in the situation, you won't be able to have any peace.

Stout: While civil rights and social justice for the poor had been the main causes engaging the young radicals, the steadily escalating war in Vietnam soon became the overriding issue. Indeed, it joined all the scattered elements of the New Left and it drew in from the outside many people, including some of the liberals whom the radicals blame for starting the war.

Student Demonstrators: Go. Go. Go.

Stout: Again student dissent first brought the issue to the attention of the country. Young people from the Berkeley campus tried to stop troop trains and marched on the Oakland port of embarkation to protest the war. It was

the start of a series of protests culminating in New York and San Francisco last April 15th.

Phil Ochs (Singing): "Now the labor leader's screaming/when they close the missile plant/United Fruit screams at the Cuban shore/Call it peace or call it treason/Call it love or call it reason/But I ain't a-marching any more. No, I ain't a-marching any more."

* * *

Stout: But the general distrust felt by the New Left for all shades of liberalism includes the Senator.

SDS Member: Kennedys and Hatfields are not the vehicle. Now what we don't have—"the ideology" yet. I think we have learned from experience that perhaps committees for new politics, perhaps third party movements are what are necessary in this country, and that if it takes us 10 to 15 years to build a constituency, perhaps it's worth it. But if we, in a sense, transfer our allegiances to Kennedy, as many have suggested, where are we to go from there? Once Kennedy has co-opted us, in a sense, and told us about "his new Frontier," what's to prevent him from pulling off another Guatemala or another Cuba?

Stout: *That kind of suspicion among the young has been fed by two exposès in the San Francisco magazine, "Ramparts"—one about Michigan State University's role in building a secret police force for the Diem regime in Vietnam, the other revealing the C. I. A.'s penetration of student organizations.* "Ramparts" editor-in-chief, Warren Hinckle.

Warren Hinckle: *The central point about the C. I. A. which its—its defenders just will not discuss, is that the C. I. A. is out of hand.* It is, you know, not only the worst example of Parkinson's Law, but it's—it's the most rambling, well-fed bureaucracy in America today. It has

essentially no congressional controls on it, on how its money is spent, on what it does. Take that criticism for whatever you may—that you shouldn't expose those sort of things—but you notice that the President and the leaders of Congress jumped as soon as we exposed that thing and had a commission and reported three weeks later this was a bad thing to do and that they were going to stop it.

Stout: If the young radicals are suspicious of the liberal Establishment, they are frankly bored by communism.

Tom Hayden: Communism as a force domestically in this country is virtually non-existent. *The traditional Communist Party in this country in my own view—and I'm speaking here primarily as an individual—has really adjusted itself, accommodated itself to the—to the American way of life too deeply to be considered radical or revolutionary.*

* * *

IN THE

United States Court of Appeals

FOR THE SEVENTH CIRCUIT

No. 16,498

COLUMBIA BROADCASTING SYSTEM, INC.,
Petitioner,
vs.
UNITED STATES OF AMERICA, and
FEDERAL COMMUNICATIONS COMMISSION,
Respondents.

Petition for review of an order of the Federal Communications Commission

SUPPLEMENTAL EXHIBIT TO REPLY BRIEF FOR PETITIONER COLUMBIA BROADCASTING SYSTEM, INC.

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Commission's Summary of Programs Attached to the The Commission's Ruling in *Times-Mirror Broadcasting Co.,* 24 Pike & Fischer, R. R. 404, 409-412 (1962) 75

NOTE

Collected below (pp. 1-54) are examples of news documentary programs which would be subject to the Commission's revised personal attack rules. Statements in these programs which are at least arguably "personal attacks" have been italicized. We are setting forth the entire scripts for these examples of news documentary programs in support of the contention in Point II (1) (a) of our reply brief that the Commission's revised rules will make it impractical to produce programs of this type.

Also printed in this Supplemental Exhibit (pp. 55-74) is the full script of a *Face the Nation* interview with Representative-elect Adam Clayton Powell, Jr. Again we have italicized those statements which are at least arguably "personal attacks." We have set forth the script of this interview in support of our contention (reply brief Point III) that, while this interview is exempt from the personal attack rules, the Commission's new fairness doctrine obligation for exempt programs will inhibit discussion of controversial issues in such programs.

CBS REPORTS,

"Ku Klux Klan: The Invisible Empire"

September 21, 1965

KURALT: The driver of this car was Mrs. Viola Liuzzo, mother of five children. Twenty miles from Selma, Alabama, on Route 80, a red and white sedan overtook her car. Several shots were fired. The driverless car veered off the highway and came to a stop at a cattle fence. Mrs. Liuzzo was dead. *Arrested and charged with murder were three alleged members of the Ku Klux Klan.* One was tried and the jury was unable to reach a verdict.

This is an earthen dam, the temporary grave of three civil rights workers, two white, one Negro—Mickey Schwerner, Andrew Goodman, and James Chaney—beaten and shot to death. *Among those indicted for this triple slaying were six men identified as members of the Ku Klux Klan.* None has been brought to trial.

In this automobile, Reserve Lieutenant Colonel Lemuel Penn was killed by a shotgun blast while riding through Colbert, Georgia. *Arrested for this crime were four Knights of the Ku Klux Klan.* Two Klansmen were tried and acquitted.

In a few short months: five murders, thirteen alleged members of the Ku Klux Klan said to be involved in the killings.

ATTORNEY GENERAL RICHMOND FLOWERS OF ALABAMA: When such an order as this moves in and takes over the police power, you are completely at their mercy, *and their atrocities and their violence* can be visited on anybody that disagrees with them in any given situation.

KURALT: *What started as a joke a hundred years ago when a group of men donned bedsheets for a romp has over the years attracted to it persons charged with acts of harassment, intimidation and violence throughout the South.* Even though the nation has been outraged for many years, the Ku Klux Klan persists with its bizarre ritual and trappings. But a hundred years is a long time for a joke.

ANNOUNCER: CBS REPORTS presents "The Ku Klux Klan—The Invisible Empire." Here is CBS NEWS Correspondent Charles Kuralt.

KURALT: Good evening. The Ku Klux Klan is a secret organization which, for one hundred years, has been allowed to exist in this country. Virtually every president of the United States in the past century has said *the Klan has little regard for constituted authority. President Johnson, following the murder of Mrs. Liuzzo in Alabama, defined the Ku Klux Klan, as a "hooded society of bigots"* and warned Klansmen to get out of the Klan and return to a decent society before it is too late.

After the President's warning, the House Un-American Activities Committee started a full-scale investigation of the Klan and open hearings are scheduled for next month. The hearings will present witnesses—not only Klansmen but also victims of Klan activity. However, the Committee will not attempt to show the Klan in action. For the next hour, we will take a close look at the Ku Klux Klan from the inside out—examine its leadership, its ritual, its secret initiation, *its record of violence.* First, let us look at Klansmen without their robes.

It is Sunday, the morning after a Ku Klux Klan meeting in Durham, North Carolina. These men are members of the United Klans of America, Knights of the Ku Klux Klan, one of the most exclusive organizations in America.

It excludes many Protestants, all Roman Catholics, Jews, Negroes, Spanish Americans, Puerto Ricans and anyone else who, according to the Ku Klux Klan, is not 100 per cent pure American.

J. ROBERT JONES: I don't hate niggers, man. I don't—I don't—I don't associate with niggers. But on the other hand, I don't associate with common white trash or Jews or Catholics if I can help it.

KURALT: This is the Grand Dragon of the North Carolina realm of the United Klans, J. Robert Jones. Former sailor, bricklayer, lightning-rod salesman, he now reportedly rules over more than 50 Klaverns or chapters and their 7,000 dues-paying members.

JONES: I think the nigger has rights in this country. He should have equal rights, but separate rights. It's worked for a hundred years in the South and I think it will work now. But if you was the nicest fellow in the world and Lyndon Johnson said I had to associate with you every day, I'd tell Lyndon Johnson to go straight to hell because I would not associate with you.

KURALT: This is the Grand Klonsel, the late Matt Murphy, who until his recent death was chief legal counsel of the United Klans. His favorite targets were the Negroes, the Jews, the Federal Reserve System and international bankers.

MURPHY: I had made speeches before the United Klans of America and they were the only organization that ever went on record, after I had talked for two solid hours, *on the viciousness of the Federal Reserve Corporation and how it has bilked the taxpayers and the American citizens out of all their money* and that Great Britain has removed the bank from the international bankers and their bank is back under the Crown.

KURALT: This is a Night-hawk of the United Klans in North Carolina. A Night-hawk is responsible for the security of a Klavern.

REPORTER: Why did you join the Klan?

NIGHT-HAWK: Well, I've got a wife, five kids, and I think that's enough reason. I want them to be—have a country to raise, be raised up in like I was. I wasn't forced to go to school with niggers. I wasn't forced to eat with them. And I want them to have at least the right that I had.

KURALT: This is Mr. Outlaw. Wherever Jones goes, Mr. Outlaw, the Grand Klexter or guard, is at his side. In the group are *the three defendants indicted for the killing of Mrs. Liuzzo: Eugene Thomas, William Eaton, and Collie Leroy Wilkins.* These men had little to say. They preferred listening to their counsel, Matt Murphy, Jr.

MURPHY: *I read in my history books that the Negro man, the Negro race was an inferior race.* And that was the history that was taught me when I was in school. And that hasn't been too long ago.

JONES: *They always have been. They always will be.*

REPORTER: *Well, where do you think the money is coming from behind the civil rights movement?*

JONES: *From the Communist party. From the Zionist, Christ-killing Jews. And I say Christ-killing Jews because they have not been affluent since they—since they crucified Christ and their relatives can be traced back to the ones that's running in the streets today.*

REPORTER: What about the role of the Catholics in this, Mr. Jones?

JONES: *The reason the Catholic cannot get in this organization, his first allegiance is not to the United States of*

America, his first allegiance is to the Pope. They believe that the Church should rule the government with the Pope at the head. And if they're right, there's a bunch of people in this country who are wrong.

Let me say this. We have never had a drop of blood spilled between a white man and a black one in any town in North Carolina that we have the Klan organized. And we're doing our best to keep down trouble. But my people are—everybody in this country is organized with the exception of the white Protestant gentile. Your niggers have your Knights—your NAACP and CORE, along with your sorry white trash. You've got B'nai B'rith for your Jewish people. Your Knights of Columbus, which is a secret fraternal order, as they say, and nobody's ever talked about investigating that, which they should in here. But the white Protestant gentile, the only hope and the only salvation that they have left in this United States today, is the United Klans of America, Incorporated. We've saved the South twice—or the Klan has—and it looks like we're going to just have to do it again.

KURALT: One important Ku Klux Klan official was not at this meeting, the Klan Kludd or chaplain. But there was a Kludd in action the night before.

ROY WOODLE: You got a bunch of people standing right over here with their cameras and their news things. Half of them ain't got enough backbone to get them a job and go to work, but there's might be some good ones in the crowd. I want to tell you fellers—I, I'm just telling you, you fellows right over here—they'll print half of the story. They ain't got enough backbone to tell the truth. So anybody that lies with the devil, you're going to die and go to hell without God. If all you F.B.I. agents want to check the Klan and investigate them, I live on 209 Mendota Avenue, Lexington, North Carolina, and my name is Roy Woodle and I'm not ashamed to be a Klansman. Amen.

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KURALT: *This is the Klan Kludd in action, the preacher, evangelist, the hell-fire speaker, the rabble-rouser. He entertains with a mixture of comedy and Christianity, but above all, he preaches racial hatred.*

WOODLE: Now do you think the children is brought up to mix the black and white together? Do you know your horse won't mix with your cow, your dog won't mix with your hog? And you tell me white people has got a mind and can't think no clearer than that? Listen, friend, we need to turn to God. We need to wake up with God. We had forefathers died to give us freedom. Our forefathers walked barefooted in the snow and fought and died to give us freedom. *And now here we sit back because we got a dictator in the White House a-dictating* and you sending your money down now to pay it and ain't willing to stand up and be counted like a man or a woman. It takes a man to stand and be a man. *Anybody can go down to niggertown and commit adultery with a nigger,* but it takes a Christian, a man to stand for God.

Let me call you farmers to attention to a few things. You've raised hogs and you know when those hogs has a gang of little pigs, she'll try to protect them. You'll know the dog. When they have a gang of pups, they'll try to protect them. And you tell me you got a gang of white children running around in your yard and you're going to stand by and see them sold out to a bunch of niggers. God help you to wake up and try to do what God will have you do. Protect your own. Act like a decent person. And then if you don't want to do that, don't be a half-hazard hypocrite, don't be one-sided, go into niggertown and forget about it.

KURALT: The Klan was born a hundred years ago in Pulaski, Tennessee, as a six-member social club. But six years later, the Klan had a half a million members and the

burning cross, the Klan trademark, become a symbol of the violence it used to keep the newly freed Negroes in their place.

In 1915, D. W. Griffith produced and directed what has been called the first great feature-length motion picture, "The Birth of a Nation," whose subject was the Ku Klux Klan. Today this film, made 50 years ago, is still shown to Klansmen as the classic example of what other generations of Southerners did to protect white supremacy. These are some scenes from "The Birth of a Nation."

A chance witnessing of two white children under a bedsheet scaring a group of Negro children is depicted as the birth of the idea for the Klan. The idea is successful. Robed and masked Klansmen are able to frighten the Negroes. In a fight, the Negro sought for scaring a white girl and causing her to jump from a cliff to her death kills a white man. Captured, the killer is taken into the woods and put on trial. The Klan passes judgment. The culprit is killed and his body deposited at the door of the Lieutenant Governor.

In the same year "The Birth of a Nation" was first released, a new leader rose to head the Klan. William Joseph Simmons, one-time salesman of ladies' garters, in this rare newsreel film leads his followers up Stone Mountain in Georgia for the first initiation ceremony of the reincarnated Klan. Simmons added something new to the Klan uniform —a stylized face mask, which he alone could wear. He also insisted the Klan operate in total secrecy. The Klan's sinister power grew as new recruits joined, some through coercion, and its clandestine activities increased. In the first fourteen months after World War I, seventy Negroes were lynched, fourteen burned.

In 1922, Imperial Wizard Simmons could not overcome intra-Klan difficulties and was replaced by a dentist from

Dallas, Dr. Hiram Evans, who inherited a depleted treasury from Simmons as well as his title of Imperial Wizard. In 1923, Evans established headquarters in Washington to be closer to Congress, the Klan's next target.

The Klan was so powerful in Oregon in 1923 that it was able to elect the President of the State Senate and the Speaker of the House. In Ohio, Klan-supported candidates became mayors of Toledo, Akron, Columbus, and other cities. At the National Democratic convention in New York in 1924, it is estimated that at least 350 delegates were Klansmen and they were responsible for the defeat of Governor Alfred Smith as the Democratic nominee.

By 1925 the Ku Klux Klan was big business. Almost six million Americans now belonged to the Klan and the organization was grossing $75 million a year. Some 40,000 Klansmen and Klanswomen crowded into Washington on August 8, 1925 to parade down Pennsylvania Avenue. To help the Klan coffers, a flag was used to catch money thrown in by spectators.

In the 1920's, the Imperial Wizard of Indiana, David C. Stephenson, was indicted on charges of assault and battery, rape, mayhem, kidnapping and murder, and found guilty. This scandal caused a sharp drop in Klan membership.

In 1940 there was a mild flirtation between the German-American Bund, the believers in the master race, and the Ku Klux Klan, the believers in the supremacy of the white race. They joined up in a rally at Camp Nordland, New Jersey. *Twenty-five years later there is evidence that Klan-Nazi friendship is being revived. This year in Houston, Te[redacted], Jerald Walraven, claiming membership in the United Klans, Knights of the Ku Klux Klan, was interviewed by Radio Station KTRH and was paid by check for his appearance. When the cancelled check was returned to the radio*

station, it had been endorsed by Lincoln Rockwell, head of the American Nazi Party, with a swastika stamped beneath his signature.

In 1944 Imperial Wizard Dr. James H. Colescott received a bill from the U. S. Collector of Internal Revenue for $685,000 for the Klan's back taxes. Unable to pay, Dr. Colescott disbanded the Klan. But four years later, Colescott's former partner, Dr. Samuel Green, reactivated the Klan and many new converts were initiated into Klandom, motivated by a desire to keep the Negro in his place. At a rally in Macon, Georgia, Imperial Wizard Green defended the new Klan.

GREEN: We don't hate the Negro. God made him black and He made us white and you will find this laid out in the Eleventh Chapter of Genesis, in which He segregated the races. And we, knowing that for 5,000 years the white man has been the supreme race, we, the Knights of the Ku Klux Klan, intend to keep it the white race.

KURALT: Today the organization differs from the past in that Klansmen are willing to appear in their robes and hoods in daylight. With the advent of the civil rights struggle, the Klan has become more militant. Some groups have para-military units, such as this one in North Carolina. Grand Dragon Jones' security guards are trained to take care of anything that might happen at Klan rallies.

The Klan also sponsors softball teams. Since softball can't be played in robes, KKK letters appear on the uniform to remind the spectators that this team is made up of 100 per cent pure white American Protestant ball players.

Sometimes Klansmen engage in more bizarre sport. *The letters KKK were carved with a pen knife on the chest and stomach of this man in Houston, Texas after he had been hanged by his knees from an oak tree and flogged with a chain.*

The Attorney General of Alabama, Richmond Flowers, who is currently investigating the Ku Klux Klan in his state, told us:

FLOWERS: *The Klan to me is a group primarily of thugs that would use the civil rights issue to foster an organization or a Klan, as they are, and will take the law into their own hands. They have become more or less—more or less their own police power. They are a police group within themselves, dedicated to defiance of law and violence. They are, as I have expressed it before, they are a hooded bunch of killers and night riders and floggers that this nation and this state has no use for whatsoever.*

KURALT: The strength of the Ku Klux Klan is difficult to estimate. Among its many secrets is the actual membership total. Students of Klan affairs say there are at least 30,000 to 50,000 active members. But there are probably as many as a million or more Americans who are strongly sympathetic to the aims of the Klan and who, if pushed to a decision, would join the Klan. When a 100 per cent pure white American citizen applies for membership, his application is carefully checked. If accepted, he can then leave what the Klan calls the "alien world" and become a member of The Invisible Empire.

For the first time in Klan history, CBS NEWS cameras filmed part of a secret initiation ceremony at a Klavern in Georgia. Filming had to be done with available light and the only parts of the ritual we could not film were the secret handshake, the password by which Klansmen identify themselves to each other, and the secret oath of allegiance to the Imperial Authority of the Klan. This is the ceremony we filmed.

KLANSMEN: For my country and my Klan, our fellow Klansmen and our home, I pledge allegiance to the flag of

the United States of America and to the Republic for which it stands, one nation, under God, indivisible, with liberty and justice for all.

KURALT: Five initiates appeared before an Exalted Cyclops, a Klokard, Kludd, and Kligrapp, corresponding to a president, lecturer, chaplain, and secretary. The men were presented by the Klokard and they had been checked out by the Klokann or investigating committee.

On a makeshift altar before an electrified cross are placed a sword, representing ancestral courage, and a flag, the emblem of pure patriotism. An open Bible is laid on the flag. A glass of water, which is used to consecrate the initiates, completes the symbolic array. A Klarogo or inner guard sits at the door. On the other side is a Klexter or outer guard. The Klokard and two assistants report to the Exalted Cyclops.

KLOKARD: Your Excellency, sir, five men in waiting have equally and duly qualified in our Klavern during and through the mysticating quest for citizenship in The Invisible Empire, United Klans, Knights of the Ku Klux Klan.

CYCLOPS: Faithful Klokard, you and your assistants will resume your stations.

KLOKARD: We have, your honor. Follow me and be proven.

KLAROGO: Forward march. Halt. You will stand in silence and take heed to a Klansman's prayer.

KLUDD: God, give us Men!....

Men who can stand before a demagogue
And damn his treacherous flattery....
Tall men, sun-crowned, who live above the fog
In public duty and in private thinking;

For while the rabble, with their thumb-worn creeds,
Their large professions and their little deeds,
Mingle in selfish strife, lo! Freedom weeps,
Wrong rules the land and waiting justice sleeps.
God, give us Men!

NIGHT-HAWK: Right face. Halt. Left face. Left face.

KURALT: This is the "eyes of scrutiny" part of the initiation ceremony. Klan members pass by the initiates for one last searching look.

CYCLOPS: You may pass on.

NIGHT-HAWK: Right face. Forward march.

KURALT: In this room the initiates swear allegiance to the Klan above all things. The secrecy and ritual of these meetings, which seem almost laughable to the outsider, have a grimly serious purpose. Because of its secrecy, the Klan can hold sway over a community. When men are initiated into Klandom, in rituals such as this one, their neighbors will not know they have become Klansmen. If some of the initiates are policemen or sheriffs' deputies, their fellow officers will not know. If they are jurors, their fellow jurors will not know. Under the cloak of this secrecy, the Klan can take over positions of influence and power.

KLUDD: I beseech you therefore, brethren, by the mercies of God that you present your body as a living sacrifice. Be ye transformed by the renewing of your mind that you may prove what is that good and acceptable in perfect will of God. We recognize our relations to the Government of the United States of America, the supremacy of its Constitution, the Union of States thereon, and the Constitutional laws thereof. And we shall ever be true and faithfully maintain

white supremacy and will strenuously oppose any compromise thereof in any and all things. Are you a native-born, white, gentile, American citizen?

INITIATES: Yes.

KLUDD: Do you believe in the tenets of the Christian religion?

INITIATES: Yes.

KLUDD: Do you esteem the United States of America and its institutions above any other government, civil, political or ecclesiastical in the whole world?

INITIATES: Yes.

CYCLOPS: Kneel on your right knee. Klansmen, one and all, let us pray. Sirs, you may now rise. Sirs, you are no longer aliens or strangers among us, but are citizens with us. And assuming that you haven't foresworn falsely or deceitfully in assuming your oath and now on behalf of all Klansmen assembled, welcome you to citizenship in The Invisible Empire, Knights of the Ku Klux Klan.

KURALT: The five new Klansmen are no longer part of the "alien world." Now they are members of The Invisible Empire, entitled to wear the robe and the hood, the proud possessors of the secret handshake and the secret password. And now they can attend Klavern meetings and Klan rallies, such as this one in Dunn, North Carolina.

A Klan rally has many elements of a carnival. It's an outing for the family. Children start attending these outdoor meetings at an early age. Robes for the youngsters are made by mothers and follow the pattern of adult robes. Rallies always have entertainers and their material is Klan-tailored for the audience. This entertainer recites a poem:

KLANSWOMAN: "The Saddest Story Ever Told."

When a white girl marries a Negro,
Her sun of light goes down
And glaring spots of sin
Appear on her wedding gown.

And white and black men stand aghast
While viewing this strange role
And mutter, "They will wreck themselves
And damn each other's soul."

Three days and nights she felt black lips
Pressed smug against her own
And on the fourth her troubled soul
Let out a frightened groan.

And so I stagger through my days
Far from God's love and grace,
Till now I know no black man lives
Can take a white man's place.

Thank you.

KURALT: The featured speaker is usually a well-known personality. At this rally it was the late Matt Murphy, Jr., Imperial Klonsel or chief legal counsel of the United Klans.

MURPHY: And I'll tell you this, and go to your Congressman, ask him what to do, and tell him what to do because they're about to pass a bill up there that if you strike a civil rights worker, it's a federal offense and they'll haul you before a federal court and take you to the most favorable county they can find and cut your head off if they can. And when I say cut your head off, I mean they'll send you to the federal penitentiary. That's the way they're doing it. That's the way they call the shots. So for God's sake, get

your Congressman and if he doesn't do it, elect somebody that will fight such a bill as that.

KURALT: As extra added attraction, Matt Murphy introduced *the three men indicted for the murder of civil rights worker, Mrs. Viola Liuzzo.*

MURPHY: *Mr. W. O. Eaton. Mr. Eugene Thomas. And the boy who stood under the battle guns, Collie Leroy Wilkins.*

KURALT: And befitting the occasion of a Ku Klux Klan rally, the three men were beseiged by autograph hunters and they willingly obliged.

Klan members accused of crimes must be defended. Their Klonsels or attorneys must be paid. In addition, money is required for operating expenses and leaders' salaries, which run as high as $1,500 a month. The Invisible Empire needs a treasury. But where the money comes from and how much is a secret. What is known is that initiation fees are between $10 and $25 and yearly dues for assessments range from $3 to $15. A conservative estimate is that the Klan is a million-dollar-a-year enterprise. The money comes from initiation fees, dues, robe and hood sales, individual contributions, and from what can be raised by a Klan Kludd at a rally.

KLUDD: There might be a businessman that's prosperous and you can afford to give a thousand. You can afford to pay one of the men's salary. There might be a businessman. There is. There may be some company that can write a check for one man's year's salary to do nothing but set up units throughout North Carolina. Whatever you have. $10, $5, walk down with it. Will you do that? Is there others? You know, we ought to be able tonight, we ought tonight to be able to come way on up the ladder. We're going to

count this just as soon as I leave the platform and let you know how much there is.

KURALT: The men and women in robes receive torches and the parade around the Kuklos or circle begins. What you are watching—700 robed and hooded men marching around a burning cross—took place in the United States in 1965.

ANNOUNCER: CBS REPORTS: "The Ku Klux Klan—The Invisible Empire" will continue in a moment.

(ANNOUNCEMENT)

ANNOUNCER: CBS REPORTS: "The Ku Klux Klan—The Invisible Empire" continues.

KURALT: Klan leaders are sensitive about the reputation the Klan has for intimidation and violence. In an attempt to erase this image, they have adopted a new policy which, in effect, says: "Look at us. We are a fraternal organization. We have nothing to hide." Imperial Wizards and Grand Dragons no longer avoid the press. Klan leaders sport crew cuts, button-down collars and well-tailored suits. The most publicized and best-organized Klan leader is Imperial Wizard Robert Shelton of the United Klans, Knights of the KKK. Shelton spends much of his time in his Tuscaloosa, Alabama office, constantly listening to tape recordings of Martin Luther King, Jr. while he examines pictures of civil rights demonstrators. Those he can identify are circled and filed. Shelton explains why.

ROBERT SHELTON: We have a division in our organization called the K.B.I., the Klan Bureau of Investigation. And I might add, it is pretty effective. We are able to uncover a lot of evidence that other departments might miss.

KURALT: It is estimated that Imperial Wizard Shelton is the highest-paid officer in Klandom. He has a private airplane, a limousine, and he travels constantly. As Imperial Wizard, Shelton has several Grand Dragons or State Governors under his command: Grand Dragon of the Georgia realm, Calvin Craig; Grand Dragon of South Carolina, Robert Scoggins; Grand Dragon of Mississippi, E. L. McDaniel; Florida's Grand Dragon, Don Cothran; Grand Dragon of Tennessee, Raymond Anderson.

Klan leaders constantly preach race hatred. Every Klan speaker warns against mongrelization of the races. And hearing this theme of white supremacy repeated over and over again, *some Klan members come to believe their status is threatened and commit acts of violence. Immediately Klan officials deny responsibility for the criminal acts of their members. In rare cases in which Klansmen are arrested, the leaders even deny these men are members of their group.*

Yet it is known that there are approximately 5,000 hard-core members of the Klan who are obsessed and fanatical—fanatical enough to set fires, bomb, dynamite, and even kill. The question is : How can Klan leaders avoid responsibility for violence when they themselves repeatedly whip up their members to action? Go to any Klan meeting, this is what you'll hear:

KLANSMAN: White man, is this your country or does it belong to the niggers?

VOICE: White man.

JAMES VENABLE: If you want your daughter, your son to marry a nigger, hold up your hand and let me look you in the eyes, if you're a white man or a white woman in this great nation there.

ROBERT CREEL: "We're on the move." That's what the Negroes are hollering. "We're on the move. We're on the

go. We're going to run the white people down. We're going to kick them in the teeth. We going to take our place in society." I got news for nigger, for you niggers. We're on the move too. I don't believe in segregation. I believe in slavery.

KURALT: *The Klan says it does not advocate intimidation, harassment or violence, that it is a peaceful organization Let us take a look at some proven Klan activities.*

In the small community of Gray, Georgia, the only movie theater in town permitted Negroes to sit in the balcony. The Klan decided this was not a healthy thing for the white people and every Friday night, 50 carloads of robed Klansmen circled the theater. Today the movie house in Gray Georgia is closed, a victory for the Klan.

Further examples of Klan intimidation were uncovered in an injunction lawsuit in the Fifth Circuit Court of Appeals in New Orleans. The hearings revealed that in Bogalusa, Louisiana, sometimes called Klantown, U. S. A., some of the city's estimated 1,000 Klan members were auxiliary policemen. The City Attorney, who is responsible for prosecuting charges against Klansmen arrested for violence against civil rights workers, was himself identified as a Klansman.

The powerful Bogalusa Klan moved this year against Radio Station WBOX, whose owner was one of a group which invited former Arkansas Congressman Brooks Hays to make a speech in Bogalusa on race relations. Klansmen made hundreds of anonymous phone calls to the station's sponsors. The effect was immediate; 75 per cent of the commercials were cancelled. WBOX is still broadcasting, but at a loss.

Although the Klan says it has respect for law and order, there are records of countless crimes which some Klansmen performed for reasons they deemed proper.

Judge Daniel Duke, who has fought the Klan for 25 years in Georgia, tells how the Klan administered its own kind of justice.

DANIEL DUKE: *They'd have a— the Klokann Committee, the committee that administered the floggings. One would get on one side of this man, who was doubled up with his wrist handcuffed to his ankles, who had been taken from his home, he thought by a legal warrant, and who had, unknown to him, been reported by someone to be a labor organizer. And they equated that to communism. And then they equated that to race-mixing. And they would usually equate that to say some Jewish person was back of it and a multiplicity of things—anything that appealed to hate, prejudice. They'd take this man and they would beat him unmercifully.*

KURALT: *The Ku Klux Klan does not stop at floggings. Eight years ago in Birmingham, Alabama, a group of Klansmen committed the most heinous crime short of murder. As a warning to civil rights leaders, they abducted this man and castrated him.*

MAN: *They hit me in the back of the head and told me to lay down and they all grabbed me and stretched me out. One stood on this arm and one stood on this one and one caught my leg and spread it apart. Then he got help from the other one and they spread my leg apart. The boss ordered him to "do your work" and they went to cutting on me. When they got through cutting me, they put turpentine on me and said I wouldn't holler—put turpentine on to make it hurt more. I don't believe they're human.*

KURALT: *But not only individuals suffer at the hands of the Klan. Sometimes whole cities are victims. In one large city, there is evidence that Klan-inspired violence touched off one of the most vicious racial riots in recent history.*

The place was St. Augustine, Florida. This Klansman was primarily responsible for what happened. Reverend Connie Lynch is probably the most effective rabble-rouser and preacher of bigotry the Klan has to offer.

LYNCH: *Most people would kill you if you put a Jersey bull in among their white-faced Herefords. They'd shoot you. But to tell me that I don't even have the right to fight to protect the white race . . . let these black bucks come in. They said it was going to be settled in the bedroom. Well, I got some news for them. There may be some bedroom cases all right. But when the smoke clears away, there won't be no bedroom cases.*

KURALT: *Little Rock, Oxford, Birmingham, Albany, Georgia, Bogalusa, Louisiana—Connie Lynch was there. And when racial violence was predicted for St. Augustine, Florida, Connie Lynch went there too.* Negroes were trying to integrate the bathing beaches and the Florida Advisory Committee to the U. S. Civil Rights Commission warned that the city was becoming a racial "super bomb" with a "short fuse."

WOMAN: When the police stand up on the corners and hit the white fellers in the stomach with the blackjacks for standing on the corners and the white people going to march through and take it.

KURALT: The tempo of violence increased rapidly in St. Augustine. The Klan paraded in the streets, unmindful of the rain.

LYNCH: And I'll say this to the stooges that want to take this back to the enemy camp, to the niggers and all their cohorts, that we white people are going to rise up a hundred and forty million strong and . . .

KURALT: *On the night of June 25, 1964, the fuse burned down and the racial bomb exploded. St. Augustine was the scene of a frightening riot. Scores of people were injured, 19 hospitalized. Connie Lynch had done his work.*

LYNCH: *I spoke for the white people. The white people rallied behind it and we kicked the living hell out of the niggers, sent the out-of-town niggers to the hospital and out of the state back to their own home towns where they ought to have been, and the niggers in St. Augustine got quiet and went back over to niggertown where they belong.*

KURALT: These examples of Ku Klux Klan activity are not unusual. For the past 100 years, The Invisible Empire, this self-proclaimed second national government, has reserved to itself police authority and the right to correct what it considers wrong. Although some Klansmen have been apprehended and tried for their crimes, *the fact remains that the perpetrators of more than 225 bombings and 1,000 acts of racial violence, reprisal and intimidation in the last ten years have not been arrested. The problem is that law enforcement itself is often in the hands of authorities who either belong to or sympathize with the Ku Klux Klan.* The publisher of *The Atlanta Constitution*, Ralph McGill, explains why citizens are powerless to protest in such situations.

MCGILL: In the small community you too often find that the sheriff is a member or that the deputies are members. *And the poor white man, or more particularly the poor Negro in a small community, he well knows that he has no protection at all. The law isn't going to help him because the law is, more often than not, in the Klan or sympathetic with it in the small Southern community.*

KURALT: The Grand Dragon of Georgia, Calvin Craig, confirmed that law enforcement officers are Klansmen.

CRAIG: We have policemen. We have sheriffs. We have farmers. We have mechanics. And myself, I'm an operating engineer.

KURALT: *One law enforcement officer sympathetic to the Klan, Sheriff Lawrence Rainey of Neshoba County, Mississippi, was charged in the death of civil rights workers Schwerner, Goodman and Chaney.* Recently Sheriff Rainey was introduced at a Klan rally by the Grand Dragon of Mississippi, E. L. McDaniel, and offered a testimonial to members of the Klan.

MCDANIEL: I would like at this time to call Sheriff Lawrence A. Rainey from Neshoba County to the platform for a statement. Are you proud he's here?

RAINEY: Thank you.

VOICE: Where's your Red Man?

RAINEY: It's in the car. Can't do without that. No, I was just down here. I've been accused by the F.B.I., by the Klan and everything and so I come down today to see the head man and investigate it and see what there was to it. And I found it so far to be mighty good. They just done a lot of lying about it. I've met some of the best fellows I think there are in Alabama and Mississippi and other places. And I've had to lay some deputies out that's been investigating it and they reported to me a while ago, they'd met some fine people and thought it was a mighty good organization. Thank you.

MCDANIEL: Let's give him a hand if you're glad he got on this platform. A true, great, white American.

KURALT: The Klan is not a single, strongly organized group. It is composed of splinter groups fighting each other for

new members and new territory. On Memorial Day weekend, Robert Shelton's chief rival, James Venable, head of the National Knights of the KKK, took his Klan north to a site 25 miles from Cincinnati, Ohio. Both Venable and Shelton believe the whites in the North, worried about Negro civil rights demands in their own communities, are ready to embrace the Klan. This was the first open Klan rally in Ohio in more than 30 years. The fact that the Klan is getting bolder was demonstrated by the site which was selected, right alongside superhighway 75. Klan robes, many of which had been stored away for years, were put out for an airing. Since the building of a cross for the Klan ritual requires skill, out-of-staters volunteered to hammer the cross pieces, wrap the burlap carefully, and then soak their handiwork with a mixture of gasoline and motor oil—a half gallon of gasoline and five pounds of oil for every foot of the cross.

MEN: This side. Look out. All right. Hold it. Hey, fellow, get off those wires.

KURALT: The Klan added a new touch to attract crowds, a skydiving show with parachute jumpers releasing Klan flags and then landing on Klan-blessed land.

The northernmost penetration of the Klan took place last month near Cleveland, Ohio. All cars headed for the rally were searched for weapons and police confiscated high-powered rifles, shotguns, and pistols. There were the usual preparations, including the raising of the cross. At a nearby reastaurant, men lined up to get applications for membership in Imperial Wizard Venable's Knights of the Ku Klux Klan. That evening 25 men and women, kept at a safe distance, picketed the meeting. The burning of the cross was the high point of this rally, only 21 miles from Cleveland.

Does The Invisible Empire have a right to continue its activities either in the North or the South? In our democ-

racy freedom of speech must be accorded this organization. Klansmen have a right to meet and wear uniforms. If the Klan is a fraternal order, it should enjoy the privileges of other orders. But the truth is that among all such organizations, *only the Klan has a history of violence.*

Lawmakers have not ignored the Klan. 22 states have passed laws prohibiting the wearing of masks in public and 52 southern communities have outlawed masks and cross burnings. But even these laws have been ineffective. Klansmen can still legally wear masks and burn crosses on private property. *They still intimidate and harass citizens.*

Now the office of the Attorney General is working on new anti-Klan legislation for submission to Congress. Attorney General Katzenbach was asked what form this legislation might take.

KATZENBACH: Well, I think it could take a number of forms. One would be to follow the analogy with respect to the Communist party and to seek full disclosure of their membership and a listing of the Klan and its members and its officers as a sort of glare of publicity. Another approach, perhaps a better approach, would be to follow the pattern of the existing laws, but to expand their scope of federal jurisdiction under them and to increase the penalties under them so that the federal government could get a more deep involvement.

KURALT: We've put up with the Klan for a hundred years in this country. How long is it going to take for us to see the end of the Klan?

KATZENBACH: I don't know when we'll see the end of the Klan. I think the end of the Klan as any kind of an effective organization of any sort at all is within sight. I doubt that the Klan is going to be a very effective force anywheres ten years from now.

KURALT: Today still another investigation of the Klan is being conducted in Washington by the House Un-American Activities Committee. The Committee has issued more than 200 subpoenas. The Chairman, Representative Edwin Willis of Louisiana:

WILLIS: *It is certainly a clear and present danger to communities and to areas within which they operate. There's no question about it. It's perilous. It's terroristic.* Now, I wouldn't want to dignify them into believing that they're a clear and present danger to our Government of the United States. I hope we can extinguish the flame before the fire reaches such proportions.

KURALT: One of the subcommittee members, Representative Charles Weltner of Georgia, was asked how the Klan could be curbed.

WELTNER: One of the reasons it's difficult to convict a Klansman is because nobody knows who else is a Klansman. Nobody knows whether jurors are Klansmen. *They're under mandate to lie about their Klan activity when they're examined. That's a mandate higher than the oath that is required of all jurors. One of the reasons it's hard to convict Klansmen is because of the secrecy, the terror, the unknown quantity, the mystery of the Klan.* Now when we strip this organization of those elements, then the Klan becomes a group of small, willful men who have devoted their activities to hatred and they are simply not going to be accepted for what they really are when the people know what they really are.

WILLIS: I predict that there's going to be weeping and wailing and gnashing of teeth. And all the protestations about how great and how dedicated the Klansmen are and how attached they are to Christianity—I'm afraid a few

little balloons are going to be bursted before this thing is over.

KURALT: The impending Committee hearings will focus the national spotlight on the Ku Klux Klan and it is possible that part of The Invisible Empire may become visible. Defections have been noted. Earlier in this program we showed Reverend Roy Woodle, a Klan Kludd, in action. A few days ago, Woodle quit the United Klans Incorporated. Last week at his home near Lexington, North Carolina, we asked him why.

WOODLE: Well, if people would just check the record and see just now what, who is leading the Klan and what are they and what do they stand for—that would be a logical question. So take any individual, what if he be in the Klan or out, check the leadership. Say, for example, we have people was painter-contractors. Far as I know, failures. We have people was insurance agencies. Far as I know, failures. We have people was concrete business. Far as I know, failures. And such as that—just failed out and flunked out. Come promote leadership and just lost out everything they had and then, well, when they couldn't find nothing else to do, the fellows said they made them a Klan leader.

Take, for instance, you make a man a security guard and pin a little old bar or something on him, he thinks he's a big wheel and a deal and, therefore, he'll follow it till he spend all of his money every weekend for gas; run up and down the road right—just that he can get out there and strut with them bars on, think he's a big shot of some kind. If he go back home and check his home, no doubt he wouldn't have no decent food in his house to eat.

KURALT: Is there immorality in the Klan, un-Christian kind of activity?

WOODLE: Now if a man will go to a Klan rally professing to be a preacher—let me put emphasis on that, professing to be a preacher—gets up and bows his head and says he's praying to the Lord for people to help give and then plant a man out in the crowd with a $100 bill, one with a $50, and say: "Now who will give a hundred dollars?" and ask it, then that man will come forth and try to bewitch somebody else to come. Now that's deceiving the people.

KURALT: Do some of the Klan leaders misuse the people's money?

WOODLE: If he's going to promote leadership, why ride around in a big car, telephone in it, jump out at rallies, which you fellows know does—everybody does—and gets up on the platform, makes his speech, holds his rally, they take up the money, then they're off. And they have no more leadership from there. The next year they'll come back with the same thing: another rally, big Cadillac, a big speech and away again.

KURALT: *At every Klan meeting, Reverend Woodle, they go around and collect money. What happens to that money? Where does it go?*

WOODLE: *Well, far as we know, it all finds its way in the pockets of the leaders.* Now if you know where any else, but I don't myself as an individual. I just couldn't tell you. Now we know that they do take up money every rally. Now we know that. The news knows it. Everybody there knows it. They pass the buckets around and they do take up money. But far as we know, that's the end of it. We don't have no record or nothing else, as far as I know now. Somebody else may know something I don't know. But all we know is people rides around, lives in their motels, drives their Cadillacs, eats their rib-eye steaks, and laughs at the poor people as they go by.

KURALT: When the House Un-American Activities Committee begins its hearings, the confrontation between Committee members and Klan leaders and followers should provide interesting answers. If an Imperial Wizard is asked at these hearings to name members of his Klan group who may be judges, police chiefs and legislators, what will happen? *Will he do so or will he choose to plead the Fifth Amendment? What will happen when a Klan Kludd is asked where the money he collects at a rally ends up? What will the array of Kleagles and Kladds and Kludds say when they are asked about the reports of secret Klan bank accounts in the names of Fish and Game Clubs in the South? And how does a check to a Klansman end up in the accounts of the Nazi party? What will happen when a Grand Dragon is asked to give the names of Klansmen who may have participated in acts of racial violence? What will the traveling ministers of the Klan faith say if they are asked how race riots start? Will they plead the Fifth Amendment? And if certain sheriffs are asked under oath whether they are Klan members and whether they know the details of unpunished crimes, how will they answer?*

Those House Committee hearings on the Klan begin next month. The Attorney General's recommendations for new laws may be expected by the end of the year. Washington is moving against the Klan. But whatever happens to the Ku Klux Klan will not, finally, happen in Washington. It will happen in those small towns of the South whose natural spirit of generosity and justice have been damped and whose leaders have fallen silent. If the Klan prospers, it will draw its strength from such communities. If the Klan falls, it will be because one man, and then another in such places, have made up their own minds that a free society cannot coexist with an Invisible Empire.

CBS REPORTS,

"Biography of a Bookie Joint"

November 30, 1961

ANNOUNCER: The report which follows is a document of fact regarding crime. No actors or re-enactments are used.

CRONKITE: *The focus of our report is a key store in Boston, Massachusetts. Address: 364 Massachusetts Avenue.* Until recently, this was the busiest store in the neighborhood, perhaps one of the busiest key stores in the world, open for business six days a week; nine hours a day in the winter, twelve hours a day in the summer. During business hours, cars double parked in front, and in some days, more than one thousand customers entered this door. Many proceeded to a room in the rear of the store. *We followed with a concealed microphone and camera.*

FIRST MAN: *Give me number 6 in the fifth.*

SECOND MAN: *Number 1.*

CRONKITE: *The men behind the counter are called "bookies." They're taking off-track bets on horses and dog races, and selling chances on the numbers game—a form of lottery. What they are doing is illegal in every state of the Union—except Nevada.* They are among thousands of bookies engaged in a nationwide, multi-billion-dollar-a-year business. A business that has been called "The Treasure Chest of the Underworld."

How does orgahized gambling operate? How does this business continue despite laws against it? And *when the laws are not enforced by police officers, how does this affect the community and the nation?*

(ANNOUNCEMENT)

ANNOUNCER: CBS REPORTS: "Biography of a Bookie Joint."

CRONKITE: This is Walter Cronkite. Experts agree that organized gambling is the most lucrative, most corrupting and the most widely tolerated form of crime in the nation. This huge business pits the government of the underworld against the government of the people. The corner bookie, to be found in most American cities, is at the base of the problem. He is the so-called "little man," but he is the funnel through which billions of dollars a year flow into the underworld. It is our purpose tonight to examine the consequences of the nickels, the dimes and the dollars wagered with the corner bookie. He and his associates might operate out of a hotel room in New York, or a tavern in San Francisco, or as in the case of this report, a key store on Massachusetts Avenue.

Boston's Massachusetts Avenue is a main thoroughfare—six lanes wide. Here, it passes through Back Bay Boston, a predominantly white area, to the South End section, predominantly colored. The Swartz Key Shop is in Back Bay near the dividing line. Its customers come here from both neighborhoods. The dome of this Christian Science Church is the dominating landmark in the area. It is three blocks from the key shop. One block away is the Boston Sports Arena. Boston's Symphony Hall is two blocks away; and the nearest Precinct Police Station is a half a mile from the key shop. This report continues in the words of Producer-Reporter Jay McMullen.

MCMULLEN: We found that at least one lookout usually was posted near the front door of the key shop. Most of the time, he stayed inside keeping watch through the front window. Across the street, we found an apartment. Here we could watch the key store without being seen. We moved in our cameras at 11:00 P.M. on the night of May

31st, 1961. By early morning, our cameras began to observe the key store close up, but CBS REPORTS was not the first to investigate the activity here.

CRONKITE: In 1951, the key store was brought to the attention of the New England Citizens Crime Commission. Dwight Strong, Executive Secretary of the Crime Commission, received the complaint.

STRONG: A former State official came to my office. He'd been in the key shop, had keys made, and suspected illegal gambling activity. I went there, went into the place, saw several customers at a counter toward the rear. Behind the counter were two men who were writing on 3 x 5 pads. The customers had slips and money in their hands. I could not see what were on these slips. They looked up and wondered what I wanted. I said, "I'd like some keys made." One of the men came and took my key, went to the key machine, and made the keys for me, and I left the shop at that time.

MCMULLEN: What happened after that?

STRONG: Well, we were unable to start a full-scale investigation for shortage of manpower. We did bring it to the attention of the Massachusetts State Special Crime Commission, which was created in 1953 by the State Legislature to investigate gambling activities throughout the state.

CRONKITE: *State Crime Commission agents investigated the key store—observed illegal gambling here and found evidence that this was more than a local operation.* Tom McArdle, former Chief Counsel of the Massachusetts State Crime Commission:

MCARDLE: We checked on the telephone toll calls of this establishment, and we found a great deal of inter-state telephone toll activity to various places in the country.

McMULLEN: What did that imply to you?

McARDLE: Well, we concluded that bets were being laid off.

McMULLEN: What do you mean by "laid off?"

McARDLE: Well, a lay off is a device whereby a bookie balances his book. If he has too much bet on a given horse, let us say, he doesn't want to carry the entire risk—he will call to some bookmaker elsewhere—very frequently outside of the Commonwealth, and is able to find one who will take part of the risk that he has on that particular horse.

CRONKITE: The State Crime Commission found that toll calls from Massachusetts bookies went out to more than fifty cities across the nation, including such major lay-off centers as Newport and Covington, Kentucky; and Chicago, Illinois. The calls went as far north as Montreal; as far south as New Orleans and Miami; as far west as Las Vegas and Los Angeles.

In August, 1961, testimony at McClellan Committee hearings on illegal gambling alleged that Boston itself is one of the major lay-off centers in the nation. This map, displayed at the hearings by the Internal Revenue Service, shows a network of major lay-off pipe lines throughout the country. The map does not include a maze of so-called minor connections between the gamblers. Even a small store may be part of a network. *Evidence that the key store was engaged in inter-state gambling activity had been found by the State Crime Commission.* Jay McMullen asked Tom McArdle what happened to this evidence.

McARDLE: When the Crime Commission was terminated, we turned over our files to the Criminal Information Bureau of the State Police. *I do know that the Massachusetts Police Chiefs' Association made a public statement some several*

months later, that the—all of the information that we had, had been examined by many of its members, and that they found nothing of interest to them as law enforcement officers.

McMULLEN: They said there was nothing of interest in the information you supplied?

McARDLE: In substance, that's what they said, yes.

CRONKITE: The State Crime Commission investigating organized gambling was terminated by the legislature in 1957. *At the key store, business continued. It is a violation of the City Ordinance to burn trash on the sidewalk, but here the smoke of burning betting slips remained a common sight—a beacon for betters.* In June, 1957, some of the betters turned out to be agents of the Internal Revenue Service. This is H. Alan Long, Director of Intelligence, Internal Revenue Service.

McMULLEN: Mr. Long, on June 21st, 1957, treasury agents raided the Swartz Key Shop in Boston, but no arrests were made. Why?

LONG: Because, at that time, the only individual we found taking bets there was a man who had a Federal Wagering Tax Stamp; therefore, there was no violation and no basis for an arrest.

McMULLEN: In other words, no Federal law prohibits off-track betting. Is that right?

LONG: That is correct. But the law does require an off-track bookie to buy a fifty dollar Wagering Tax Stamp and to file an excise tax return with which he pays a tax of ten per cent of his gross bets.

McMULLEN: Suppose he does all of that? Suppose he buys the wagering stamp, registers, pays his excise tax. Can this

be construed as a license to break the state anti-gambling laws?

LONG: No. Absolutely not.

MCMULLEN: Well, after a bookie registers, is this information available to the local police?

LONG: Yes. The copy of his application is public record in the District Director's office. The local police—the newspaper reporters—any one who is interested, can go there and look at it.

MCMULLEN: They can see that this bookie is registered and where he is operating—the address?

LONG: That's right.

MCMULLEN: Well, doesn't the law also require the registered bookie to display a gambling stamp on the premises where he operates, as further notification to the police and to the public that he's in business?

LONG: Yes, it does.

MCMULLEN: Why do you think that most bookies fail to register?

LONG: Probably because the law is self-defeating in the fact that when a bookie registers and announces that he is engaged in this business, and where he is engaged in it, he is openly inviting investigation and possible prosecution by the local police.

CRONKITE: *It was a matter of public record that one operator at the key store was a registered bookie. This man, carrying the trash can, had purchased a Federal Wagering Stamp. He could continue his activity as a bookie and could openly dump charred betting slips on the street without fear of Federal interference. He remained in business—and*

business at the key store continued for the next three years. In September, 1960, the State Police received a complaint about illegal gambling at the key store. This is Carl Larson, Executive Officer, Massachusetts State Police.

LARSON: *As a result of receiving this complaint, a survey was conducted at this location by State Police officers. Evidence of illegal gaming was observed, and as a result of this observation, a letter was sent by this Department to the Boston Police Commissioner, advising him of our findings.*

MCMULLEN: *Why did you pass on this information instead of taking direct action, yourselves, against the key shop?*

LARSON: *It has been our policy to forward information of this nature to the local Police Department, so that they may take action on these offenses.*

CRONKITE: *Boston Police Commissioner Leo Sullivan's reply to the State Police letter alleged that Abraham Swartz, owner of the key store, had been arrested by the Boston Police on July 7th, 1950, for promoting a lottery—that in Roxbury Court, on July 10th, 1950, Swartz paid a fifty-dollar fine, on that lottery charge. "Since that time, this location," said the Boston Police Commissioner, in his letter to the State Police, "has been under surveillance; search warrants have been obtained on several occasions, but no evidence of illegal gaming was found."*

In November, 1960, after receipt of the Boston Police Commissioner's letter, State Police conducted another investigation of the key store.

LARSON: *On November 18th, 1960, the State Police made another surveillance of illegal gambling at Swartz's Key Shop and evidence of gaming was again found. As a result of finding this evidence, another letter was forwarded to the Boston Police Commissioner.*

MCMULLEN: *Well now, this was the second complaint that you had sent to the Boston Police Commissioner regarding the key shop. What was the reply to this letter?*

LARSON: *We received a reply from the Boston Police Commissioner stating that, on the same date, November 18th, the Boston Police officers had entered this building and that no evidence of gaming was found.*

MCMULLEN: *Now, on November 18th, your men were also in the key shop investigating?*

LARSON: *That's correct. This was the same date that our men made the survey.*

MCMULLEN: *And found evidence of gambling?*

LARSON: *Yes.*

CRONKITE: By the fall of 1960, the New England Crime Commission also was investigating the key store.

STRONG: *We'd had many complaints of illegal gambling at the key shop. I had manpower available and assigned agents to investigate this complaint. We went into the shop and placed bets—over fifty of them.*

CRONKITE: *For almost a year, agents of the New England Crime Commission gathered evidence of illegal gambling at the key store. In the spring of 1961, CBS began documenting the Commission's observations with microphone and camera: We present a composite of picture and sound recorded during the course of our investigation.* First, we wanted to know how the bookies operated, and how much business they handled in the course of a day. Reporter McMullen and our cameras began observing the store on June 3rd, 1961, at 5:30 A.M.

MCMULLEN: *The two men waiting in the doorway are bookies who operate at the key store. This is the man they*

are waiting for—the owner of the store—Abraham Swartz. The tall man with glasses, walking behind Swartz is also a bookie who works on the morning shift. The others are either customers or helpers. At 5:30 A.M. the door is unlocked and the key store is open for business. These pigeons appeared out of nowhere, within two or three minutes after they key store opened. We learned that this was a morning ritual. From 5:30 to 8:00 A.M., the number of people who entered the key store totaled, by our count, one hundred and sixty-seven persons. Many of them probably stopped off here on their way to work. Most remained inside for only a few minutes. By 8:05 A.M., this trash can had been placed outside the door. During the day, the bookies brought it out five different times. Inside it, they burned carbon copies of betting slips—their receipts of bets already won or lost. The evidence went up in smoke. These youngsters were on their way to school. By 10:00 A.M., two hundred and seventy-five persons had entered the key store. Persons carrying in satchels or paper bags were of special interest to the New England Crime Commission. Dwight Strong explains why.

STRONG: We suspected that some of these men were pick-up men. A pick-up man is one who goes around and picks up from bookies the various slips and money that have been taken in a tavern, in a store, or a hotel, a factory, or an office, and bring them to some central place. Some of these pick-up men may have a hundred or more slips in one of these bags. At this place, these slips are turned in, and of course, we cannot tell the volume of business by the number of persons who enter through the door of a place like the key shop.

MCMULLEN: By 12:00 Noon, six hundred and fifty persons had entered the door of the key shop. The cars of

customers blocked traffic on Massachusetts Avenue. The owners of these cars came from all walks of life—a postal clerk, a factory worker, a certified public accountant, an engineer.

CRONKITE: A CBS Reporter also entered the key shop—Jay McMullen.

MCMULLEN: This reporter was dressed informally when he entered the key shop with a lunch box at 2:30 P. M. To place a bet you pass beneath these signs—advertising keys and locks. You head toward a small room in the rear of the store. As many as thirty people crowd into this room at one time; to place your bet, you have to wait in line. *This is one of four bookies who works the afternoon shift.*

VOICE: *Missiles from heaven, George.*

MCMULLEN: Notice the small child. "Stick 'em up" is what she said to the bookie. *The betters are not breaking the law—the bookies are. But if the bookies have any anxiety about a raid, they certainly do not show it. Most of their business in the afternoon is in bets on horse races. The minimum you can bet on a horse race at a race track is two dollars. Here, the minimum is one dollar and fifty cents. We watched some of the customers bet as much as fifty dollars—were told that a one-hundred dollar bet is not unusual. The bookies claim that they pay the same betting odds as the race tracks. It's generally reported that most bookies pay lower odds than the track. According to some of the customers, bookies at the key shop have never been known to welch on a bet. As one customer put it, "This is a first-class bookie joint."*

By 2:45 P.M. this reporter had placed his bet and was on his way out of the key shop, past counters where keys are seldom sold. My betting slip was in my hand. I was just one of eight hundred and seventy-five customers who

had entered the key shop by 3:00 P.M., when as usual, it closed for the afternoon. Elsewhere, betting on the horses continued.

CRONKITE: Here, the bettor who has the time and the inclination can bet his entire bankroll, legally. Pari-mutuel horse tracks are licensed in twenty-five states. Total attendance at these tracks last year: forty-eight and a half million persons. The handle, or total amount of money bet: three and a half billion dollars—one billion dollars more than the nation spent last year on new schools, classrooms and text books. From the three and a half billions in bets on horses, the states received two hundred and fifty-eight million dollars in tax revenue. For every bet made here legally, it is estimated that at least three bets are made off-track, illegally, at places like the key store.

We resume now with the activity at this store during the day of June 3rd, 1961.

MCMULLEN: The door of the key store has been locked since 3:00 P.M. At 6:45 P.M. the store once again is open for business. *These people are here either to collect on winning bets made earlier in the day, or to bet on dog races which are run at night.* The customers flocked in in such numbers that it was difficult to keep a count on them. Nine hundred and seventy-three customers had entered the door by 7:30 P.M.

CRONKITE: By 7:30 P.M. Boston's "Wonderland"—the world's largest dog track—is open for business. Here, gambling on dog races is legal. Attendance at this track during the racing season averages twelve thousand persons a night. Total attendance during the 1960 season: one million, two hundred and fourteen thousand. Pari-mutuel wagering on dogs is legal at thirty-five tracks in eight states. At Wonderland, more than six hundred and eighty-

three thousand dollars was wagered in one night. The total amount wagered at dog tracks throughout the nation exceeded two billion dollars in 1960. Two hundred million dollars of this went to the states in tax revenue. It has been estimated that for each bet made at a pari-mutuel dog track, at least one other bet is made off-track. The states receive no tax revenue from off-track bets made with bookies at places like the key store.

McMULLEN: In the evening, you see new faces among the bookies at the key store. The day men have gone home. This is the night shift at work. Here, the betting odds on the dog races are based, as in horse race bets, on the pari-mutuel odds at the track.

CRONKITE: At 8:30 P.M. wagering on the dog races was continuing here at Wonderland dog track.

McMULLEN: At 8:30 P.M. the key shop closed for the day. In this one day, June 3rd, 1961, a total of one thousand, two hundred and forty-six customers had passed through the door.

CRONKITE: Evidence to be detailed later in the program indicates that the gross income of the key store may have exceeded twenty-five thousand dollars a week. That's a million and a half dollars a year, and that's no penny-ante operation, by any means. And yet, it seems small in contrast to some of the largest bookie establishments uncovered by the Internal Revenue Service. A bookmaking operation in Louisiana grossed twenty-three thousand dollars in a single day; another in Indiana grossed more than one million dollars in three days; and still another in California, three hundred and seventy-four thousand dollars in seven days, according to the Internal Revenue Service. Now some of these bookies operated out of taverns and stores like the key shop. In Evansville, Illinois, this tote board used by

bookies was found in the back room of a tavern. Here are adding machines and bags of lottery slips seized in a Miami home. These rifles, shotguns, pistols belonged to a bookie in San Francisco. And this is the cash drawer of a bookie who operated in a small room in Albany, New York. The Internal Revenue Service is the agency best qualified to know how much money the nation's bookies gross each year. H. Alan Long, Director of Intelligence, answered this question.

McMULLEN: Estimates of the gross handle of illegal gambling have ranged from five to fifty billion a year. Has your department made any such estimate?

LONG: No, we have not. We have tried to arrive at a figure, but we have not been able to determine any logical basis for making an estimate.

McMULLEN: Why is it difficult?

LONG: Because the amount of activity varies enormously from place to place, and from time to time, and it is very difficult to determine how many people are actually engaged in business as professional bookies, and how many customers they have, and what volume of business they do.

McMULLEN: Do you think it would be inaccurate to say that illegal gambling is perhaps a multi-billion-dollar-a-year business?

LONG: That may be correct, although I would not want to estimate that it runs very high in the billions.

CRONKITE: The experts may disagree on the total amount of money wagered illegally in the nation each year. But on one point they do agree—and that is that illegal gambling cannot flourish for long unless it is protected. Reporter Jay McMullen discussed this point with Tom Mc-

Ardle, former Chief Counsel, Massachusetts State Crime Commission.

McMULLEN: You told me that during your investigation, you spoke off-the-record with quite a number of bookies. Did they indicate to you how they were able to avoid arrest and stay in business?

McARDLE: *They said that they paid protection.*

McMULLEN: Did they say how much that would be?

McARDLE: No. That was a very difficult matter to discuss with any number of the individuals involved. However, I have seen figures from crime investigations in other states, which unhesitatingly put the figure at fifty per cent of the net profit of the gaming operation.

McMULLEN: *Did the bookies ever tell you that they thought they were paying too much money for protection to the police?*

McARDLE: *Yes, several of them told us that the costs were getting so high that it was becoming more a police business than a bookie business.*

CRONKITE: We'll continue this "Biography of a Bookie Joint" after this message.

(ANNOUNCEMENT)

ANNOUNCER: CBS REPORTS: "Biography of a Bookie Joint" continues. Here again is Walter Cronkite.

CRONKITE: Up to now, we have heard that the key shop had been investigated by two Crime Commissions—the Boston Police, the State Police—and the Internal Revenue Service. *From June the 1st to June 3rd, 1961, we filmed ten members of the Boston Police force entering or leaving*

the key store. We don't know why they came to the key store, or what they did inside. We only know that they were there, as Jay McMullen now reports.

McMULLEN: June 1st, 1961. *This motorcycle policeman entered the key store at 9:17 in the morning. Same day, 11:18 A.M., while this policeman remained inside, betting slips were dumped into the bookies' trash can.*

A few minutes later, another policeman arrived. The man pushing the trash can out of his way is a bookie. Ten minutes later, the same officer departed. 7:00 P.M., same day—June 1st. This is one of the policemen seen on June 2nd, 1961. He entered the key store at 8:58 in the morning. At 9:42 A.M., also June 2nd, this officer drove up in a prowl car. He did not leave the store until ten minutes later. It is now June 3rd, 1961. This officer getting out of the squad car entered the key shop at 8:24 in the morning. The same officer left the store and drove off in a squad car at 8:35 A.M. One hour later, at 9:27 another squad car arrived. The officer stayed inside five minutes. The man coming out of the door now is a detective. We found that he comes from Central Headquarters, Boston Police Department.

CRONKITE: *Other Boston Police officers were seen entering the key store during the course of our investigation.* We must emphasize again that we do not know the nature of their business in the key store. Dwight Strong, of the New England Crime Commission, on the subject of the Boston Police:

STRONG: I think most of the policemen in the Boston Police Department are honest and want to do their sworn duty. However some of them have been in touch with me by calls and letter and have written on Police Department letterhead, although unsigned, suspected illegal gambling operations which they hope we will do something about.

McARDLE: We had a Lieutenant of the Police of a town outside of Boston who testified on the witness stand that he had procured a warrant for—to raid a gaming establishment in his community, and that as he came down the street with the police, for the purpose of making the raid, he saw his Police Chief pull up in front of the place, and then beckon and drive down the street. And the gaming operator came out, and went down, and had a very brief conversation with the Police Chief. When the raid was made, there was nothing there.

CRONKITE: It has been said that police corruption can be found in every state where illegal gambling flourishes. The story has been told in headlines from cities across the nation time and time again. It is, in part, an answer to the question: "What harm can there be in a little two-dollar bet at the corner bookie?" It is not only the police that the bookie may attempt to corrupt. When he was Chief Counsel of the Massachusetts State Crime Commission, Tom McArdle was approached by a bookie who said that he and twenty-four other bookies would like to give McArdle some money as a good-will gesture. Even when McArdle refused and got angry, the bookie continued to press him.

McARDLE: He said to me that he thought that my reaction of anger indicated that I was going to come at a pretty high price. And he said that he thought I probably was thinking of twenty-five thousand dollars for each of these contributors. And then, later, by implication, he indicated that what he had had in mind was that ten thousand would be about—from each—would be about as far as he was thinking.

McMULLEN: Ten thousand from twenty-five bookies—two hundred and fifty thousand dollars. Is that . . .

McARDLE: Yes. Those are all round numbers. He said about twenty-five people.

McMULLEN: And that would be put away for you if you would lay off the investigation?

McARDLE: Well, he didn't ask me to do a thing. He just asked me if he could figure out a way to put some money some where that I could get later, would I do it.

McMULLEN: But wasn't that the implication?

McARDLE: I can't think of any other reason why he would be offering me anything.

CRONKITE: If an opponent of the bookies cannot be bribed, there is another way to handle him. Here is what happened to Dr. Charles Cataldo, a Boston physician, who formed a Citizens' Committee to fight illegal gambling in his community, and who gave evidence of gaming operations to the Massachusetts Crime Commission.

DR. CATALDO: Two days later, when I went out to my car, I saw on the trunk, written in white crayon, the words: "I will shoot you through the face and through the back."

CRONKITE: A reporter seeking information about illegal gambling must be careful—even when talking to officials and employees of the State. For, as we discovered during our observations of the key shop, the employee may turn out to work for the bookie, or be a bookie himself.

McMULLEN: *The man getting out of that car at 5:45 A. M. on the morning of June 1st, 1961, worked at two different places during the day. Early in the morning, he worked as a bookie at the Swartz Key Shop. In a moment, he will be taking illegal bets on the numbers game, on horse and dog races. He will remain inside about three hours. Usually, he left the key shop at 8:30 A. M., in order to be on time for his second job in another section of the city. It took him about fifteen minutes to drive to his office here at the*

Metropolitan District Commission, a State agency, that supervises the State parks, and handles construction contracts.

CRONKITE: It is difficult to know where bookies may be working or where they have influence. The State Tax Department is in this building. Tom McArdle, of the Massachusetts State Crime Commission, sent a State detective here to get some information on a bookie-racketeer.

MCARDLE: Before the State detective got back to our office, which was only a few hundred yards from the State House, a newspaperman called me, and said to me that he had heard that I had a man at the Income Tax Bureau, who was inquiring about Mr. X. And he said, "Just as a friend of yours, I want to tell you that you should be careful who you ask about certain persons and certain things." Another indication was the—what I learned from a conversation with the then Police Commissioner of Boston, who told me that he had made special arrangements, or had to make special arrangements as to certain places for procuring warrants for gaming raids. And what he meant by "special arrangements" was that he would make arrangements either directly with a judge, or in some other way, so that warrants could be obtained rather surreptitiously, or without the general knowledge of those in the court.

MCMULLEN: Why would he have to do that?

MCARDLE: Well, as he said, *the fear that if they were careless about requesting warrants, the word would get to where they were going before the warrant did.*

MCMULLEN: *In other words, leak?*

MCARDLE: *Yes. From somehow—somewhere—those who would learn of it in the court house.*

CRONKITE: *It would appear that the bookies may have contacts even in the legislature of a State.* Jay McMullen talked with Representative Harrison Chadwick, a former member of the Massachusetts State Crime Commission.

MCMULLEN: Is it not true that many of the legislators are lawyers who carry on a private law practice when the legislature is not in session?

CHADWICK: Yes, that's true. They carry on their law practice, both when we are and when we are not in session.

MCMULLEN: *Have any of these legislators who also practice law ever told you that they represented bookies or illegal gambling operators?*

CHADWICK: *Oh, yes. Yes, they do. Several have stated that they had bookies among their clients.*

MCMULLEN: How did they happen to tell you that?

CHADWICK: This came out in the conversation that we had about the Crime Commission and its work.

MCMULLEN: Do you recall anything specific that they said?

CHADWICK: *Well, I recall one who said that he would be glad if we were out of business, because he wanted active bookies for the reason that he got good fat fees.*

MCMULLEN: What's your reaction to this statement printed in *The Boston Herald: "The bulk of votes against the Crime Commission and its recommendations have come from legislators representing districts in which there is heavy off-track betting. They fear the bookies and their customers. They fear the kind of dirty campaigning that the bookies and their overlords can put on against any one who openly fights this kind of organized crime. To such legislators, bookies speak louder than decent citizens."*

CHADWICK: *There's a great deal of truth in the statement which The Boston Herald has made. I would like to distinguish between a wholesale condemnation of legislators, and the fact that relatively few are actively involved in any of the illegal operations of the booking business.* However, it is true that most of us follow the path of least resistance. And in many instances, the bookies are able to throw organizational workers and very considerable finances into a campaign to defeat some one whom they feel is hurting their operations. And consequently, many an honest legislator prefers not to stir up a situation which can only cause him, as he sees it, very likely to come to grief.

CRONKITE: Mr. McArdle on the bookie in politics:

MCARDLE: One of our investigators had under surveillance a prominent gaming operator—a man who had been previously charged with murder. And he followed him into a barroom one day and saw him paying twenty dollars, each, to several persons for helping in the campaign activities of a man who was running for the nomination for District Attorney in one of our counties.

CRONKITE: Dwight Strong.

STRONG: *Recently, we have had an Assistant Attorney General of the Commonwealth, who turned out to be a business partner of a registered bookmaker, a man registered with the Federal Government as a bookie. He has been suspended and removed from office.*

CRONKITE: A two-dollar bet with the corner bookie may result in fear, intimidation, violence, corruption. Some authorities say, and others disagree, that the problem of illegal gambling can best be met by legalized off-track betting. The question of legalized gambling will be examined on a future CBS REPORTS program.

ANNOUNCER: Tonight's report will continue with the attempts to close up this bookie establishment immediately after this message.

(ANNOUNCEMENT)

ANNOUNCER: CBS REPORTS: "Biography of a Bookie Joint" continues. Here again is Walter Cronkite.

CRONKITE: By 1961, the key shop had reached its tenth year of operation. It had survived all efforts to put it out of business. In the summer of 1961, State Police again investigated the key shop. Colonel Carl Larson, Massachusetts State Police:

LARSON: *On August 4th, 1961, the State Police again made a survey of this key shop, and evidence of gambling was found. We again forwarded a letter to the Boston Police Commissioner, informing him of our findings; and a reply received from the Boston Police Commissioner, stated that on August 4, 1961, the Boston Police officers had entered this establishment with search warrants, and made a diligent search of the area, and that some evidence of gaming had been found, but insufficient for prosecution.*

MCMULLEN: *Now, your own men had gone in on August 4th, also, and found evidence. Is that correct?*

LARSON: That is correct.

CRONKITE: CBS presented to the Department of Justice, in Washington, its evidence of illegal gambling at the key store. CBS was informed that the Department of Justice would investigate the matter—that if the circumstances warranted, a raid would probably be made, but under no circumstances would we or any other news media be apprised in advance. CBS continued to film and observe activities at the key store, in the hope that if a raid did occur,

we would be in a position to record it. Our hopes were realized. Jay McMullen reports what happened.

McMULLEN: It is 2:35 P.M., September 29, 1961—one of the busiest times of day at the key store. Suddenly, we noticed that customers were turning away from the door. What we did not know, at the moment, was that Internal Revenue Service agents had entered this store—and a raid was in progress. When these three gentlemen walked up to the door, there was no doubt that T-men had already acted. A few minutes later, a large crowd had assembled. I questioned this man.

You live right here, don't you?

MAN: I have the property here right next door. I own the property next door.

McMULLEN: Have you noticed a lot of activity going on here?

MAN: Oh, of course, there is a continuous—it's amazing, the hundreds of people, each day, going in and out of the place. It's almost ludicrous to watch a key shop and see so many, many, many people walking in and out, and cars double parked here. It just becomes a picture that's so obvious to everybody.

McMULLEN: Did you ever think of reporting it?

MAN: *I've even seen police officers go in and out of the place, and it's so obvious that all of them, even the detectives, know about this. And it's so wide-open—I have marveled that the place can be so wide-open in a state like Boston—or a city like this, and have it go on with everybody knowing it.*

McMULLEN: And how did that affect you insofar as whether or not to report this place?

MAN: Well, it certainly—it showed that there was little use of reporting it, because everybody knew it. And so that there was little reason for my reporting it, and . . .

MCMULLEN: How long has this place been open, as far as you know; that is, engaged in this activity?

MAN: Well, I have had this property for better than two years, and it was going full swing, I'm sure then, and has been going ever since—even when this state gambling—when there was a raid here, oh, back a year or two back, and the police closed down other places, this place continued to stay open.

MCMULLEN: It did stay open?

MAN: It did.

MCMULLEN: Right through it all?

MAN: Yes. In fact, a person that I knew went in and warned them, of something about it coming, and they didn't bat an eyelash. They stayed right open.

MCMULLEN: What would that infer to you?

MAN: *Well, that there was a payoff somewhere. That they paid off.*

MCMULLEN: How do you think the payoff, as you call it, affects this community? How do you think it affects what other people feel about it?

MAN: Well, I think the idea of law and order, as far as that is concerned, the people would have little respect to the actual law and order. I think it has a tendency to make the citizens not uphold the law, like they might ordinarily do.

MCMULLEN: So that it may work in other directions? If a place like this is protected, then there may develop a certain cynicism, you think, toward the law?

MAN: That's right. Of course, this is a thing for our children and for people in general, that—this, of course, is the attitude. I would say this is one of the ramifications of this type of operation going on.

CRONKITE: *The Federal raid also hit three other alleged gambling establishments in the area, including this dry cleaning store.* The Treasury agents had obtained seventeen arrest warrants. Eight bookies at the key store were among those arrested. The charge: failure to register as bookies under the Federal Wagering Stamp Law. *This bookie who had registered could not be arrested.* He walked to his four-thousand-dollar automobile and drove to his home in a fashionable Boston suburb. Later that afternoon, this was the scene in the corridor of the Federal Court House. *These alleged bookies were arraigned before the U. S. District Commissioner.*

At the Swartz Key Store, the Federal agents seized four thousand dollars in cash; apparently, part of the money bet with the bookies on the day of the raid from 6:30 A.M. to 2:30 P.M. How much more might have been on hand at the usual closing hour of 8:30 P.M. is just a matter of speculation. But even four thousand dollars a day, six days a week, comes to one million, two hundred thousand dollars a year.

But the story of the key store does not end with the Federal raid. *Within a week after the raid, the store was reported again open for business.* Jay McMullen counted the number of persons who entered the store in an hour-and-a-half period.

MCMULLEN: *It is the morning of October 20th, 1961. This same key store, recently raided by Federal agents, is back in business. The bookies are operating again at the same*

location. Between 6:30 A.M. and 8:10 A.M. we counted one hundred and twenty-five persons who entered the door.

CRONKITE: The State Police also noticed that the key store was back in operation. Colonel Carl Larson, State Police.

LARSON: *On October 23rd, 1961, information was received by our department that the key shop was back in operation.* I then discussed this matter with the Commissioner of Public Safety, Frank Giles, and he in turn discussed this entire matter with His Excellency, Governor John A. Volpe. As a result of their conference, I was directed by Commissioner Giles to take direct action against the key shop.

CRONKITE: Then, on October 27th, 1961, for the first time in twenty years, the State Police raided a gambling establishment in Boston. They raided the key shop at 7:10 in the morning. The State Police seized two thousand dollars inside the store. The raid resulted in the conviction of two persons. *One of the persons convicted was this man, whom the Federal agents could not arrest, because he had registered as a bookie.* Jay McMullen asked Colonel Larson why the State Police had changed their twenty-year policy of not raiding gambling establishments in Boston.

LARSON: *We have forwarded considerable information of this nature to the Boston Police on many occasions, and they had taken action on this information. However, on information forwarded, pertaining to this key shop, our surveys indicated that no action was taken by the Boston Police.*

CRONKITE: Three days after the State Police raid at the key shop, there was a shakeup in the Boston Police Department. Two of Boston's three Deputy Police Superintendents were demoted to Captain, and five Captains were transferred to different jobs. A Boston Police announcement

said the changes were made to promote the efficiency of the Boston Police Department. At a press conference, Governor John A. Volpe said he expects the Boston Police Commissioner to fulfill his responsibilities in full compliance with the law.

We extended an invitation to Boston Police Commissioner, Leo J. Sullivan, to appear on this program, to comment on the difficulties facing local police departments in coping with illegal gambling, as reflected by the history of the key shop operation. Commissioner Sullivan has replied to our invitation with a letter, outlining problems confronting local police. He points out that legalized on-track betting stimulates illegal off-track betting; that placing a bet off-track is not an offense, and that bookmaking is only a minor misdemeanor. He went on to say that the local police administrator has limited manpower and funds, and that the combined efforts of all law enforcement agencies have failed to dent the framework of illegal gambling. "It would, therefore, be a grave injustice," said the Police Commissioner, "to downgrade an entire Police Department, and to destroy the public image created by the fine accomplishments of many dedicated police officers on the basis of one such gambling establishment. In the final analysis, the people of this and every other community must come to the realization that it is their small, individual bet that finances the illegal gambling empire, and complete enforcement is not possible without the active assistance of all good citizens." Those were the words of Boston Police Commissioner Leo Sullivan.

At this point, you may be inclined to say: "Well, those people in Boston certainly have their problems." Don't deceive yourself. The chances are very great you have the same problem in your community. This is Walter Cronkite. Good night.

FACE THE NATION

Representative-Elect Adam Clayton Powell, Jr.

January 14, 1968

ANNOUNCER: The following program was recorded yesterday.

MR. AGRONSKY: Mr. Powell, you haven't represented the 400,000 people of your Harlem Congressional District since you were elected in November of '66. When are you going to fulfill your responsibilities to represent Harlem in the House of Representatives or stand aside and permit someone else to take over the congressional duties you've chosen to ignore?

MR. POWELL: I will never stand aside. I am going to force the judicial system of the United States to prove that it is equal to the legislative or executive or step down. They will step down. And that is what my lawyers are fighting for now, under Edward Bennett Williams' direction.

ANNOUNCER: In San Francisco, California, in color, FACE THE NATION, a spontaneous and unrehearsed news interview, with New York Congressman-Elect Adam Clayton Powell, Jr. Mr. Powell will be questioned by CBS News Correspondent Morton Dean, Ted Poston of the New York Post, and CBS News Correspondent Martin Agronsky.

MR. AGRONSKY: Mr. Powell, you told my colleague, Morton Dean, in Bimini, at the beginning of last month, that you were thinking of discussing with Floyd McKissick the possible choice of a successor to your seat in the House. Why the change of heart in the last few weeks?

MR. POWELL: Well, I thought that I ought to have someone to back me up *in case the courts don't have the guts to rule correctly,* then there should be someone ready.

MR. POSTON: Mr. Powell, you won a smashing reelection victory last April 11th.

MR. POWELL: Yes, seven-to-one.

MR. POSTON: Yes, it was. Why didn't you go back then and claim your seat?

MR. POWELL: You see, if I had taken my seat in the April election I would be the youngest freshman in Congress. My court case is based on the November election, which would establish my seniority.

MR. DEAN: Mr. Powell, from our tours through Harlem, the chorus seems to be getting louder and louder, that Adam Clayton Powell should return or bow out, that "we need representation and we're not getting it." Even some of your old supporters are saying that perhaps you're being selfish, putting your own self-interest above that of your own constituency. How do you answer these calls for you to return now even if it means arrest?

MR. POWELL: I don't know who you see in Harlem, but my mail is the exact opposite. My mail in Bimini, my mail in Washington, my mail in New York, my club house in New York is as packed as it ever was. My church is as packed as it ever was. And so you probably talked with the wrong people.

MR. DEAN: Well, some members of the Urban League of Harlem, CORE. People suggest that the services of the Abyssinian——

MR. POWELL: I'm talking about the people. You're talking about the Urban League. That's not the people.

MR. AGRONSKY: How are you in touch with the people in Bimini?

MR. POWELL: Well, my mail in Bimini runs around 2,000 2,500 letters a month. And as I left to come here there were five people from my district down there. There will be more down next week. They come down to see me. In the meantime, my offices at the church, the club house and in Washington are servicing the people and not one complaint in one year has been made.

MR. DEAN: Do you think you might be unfair to the constituents in Harlem who desperately, because of conditions there, desperately need personal representation in Washington?

MR. POWELL: Personal representation in Washington does not help the conditions of the people. The conditions of the people are helped by the handling of their complaints. Personal representation means only the vote and the voice on the floor.

MR. AGRONSKY: You certainly wouldn't deny the importance of that.

MR. POWELL: Of course not. That is why I am fighting——

MR. AGRONSKY: If you are going to take a position or propose legislation which will be helpful to the people of your district you have to be there to do it and yet you're not there, you are in Bimini.

MR. POWELL: That's correct. I am trying to point out that the people are being serviced. Furthermore, I believe that the black people of this country, the great majority, including my district, want to see whether this is really the land of the free and the home of the brave or whether it is

a second-class government for black people and first-class for whites.

MR. DEAN: Mr. Powell, last month, *eleven Congressmen* introduced a bill which would set up a permanent office on Capitol Hill for your district and have four staff members to service it while you are in these difficulties. And I think you called it at the time a bill—*a cute form of liberalized racism.*

MR. POWELL: *And colonialism and the plantation system.*

MR. DEAN: But don't you think that there should be someone there to take care of the day-by-day complaints?

MR. POWELL: Well, I have two ladies there, Mrs. Dolores Gillespie and Miss Cleo Lewis.

MR. DEAN: Well, would you object to four?

MR. POWELL: Yes. If Pat Jennings, of Virginia, is going to take over Harlem and hire who he wants to hire and fire who he wants to fire and fix their salaries, yes, because Harlem then becomes a plantation in Virginia.

MR. AGRONSKY: Yes, but none of these opportunities for Harlem to become a plantation in Virginia, as you put it, would arise if you would go back and take your place in the Congress of the United States or see if you are going to be denied that place.

MR. POWELL: I will go back.

MR. AGRONSKY: When?

MR. POWELL: I will go back whenever Bennett Williams tells me to go back. *I will go back when the Supreme Court gets enough guts to rule one way or the other.* I am not going to subject myself to becoming a freshman, the lowest one on the totem pole, after twenty-four years

of service and six years as the best chairman in the house, according to Jack Kennedy, in writing, Lyndon Johnson, in writing, and John McCormack, in writing, "You are the best chairman that we have in the House of Representatives."

MR. AGRONSKY: Yes, but now you're nothing in the House of Representatives.

MR. POWELL: Oh, yes, I am. I am the great enigma that is going to put the white man on the spot in this Nation and in Congress *as to whether they are going to keep Negroes down and let a person like Tom Dodd go unscathed.*

MR. DEAN: Mr. Powell, in past conversations and interviews we've always talked rather frankly about all subjects, I think it is proper to bring this up at this time, a point that has never really been made clear. Your estranged wife, in a magazine article last year, quoted you as admitting that you were not Negro and then, if I remember correctly, back in 1963 you told a wire service reporter that you were a Negro by choice. And I was wondering if you could explain your background to solve what is a mystery about you.

MR. POWELL: In the first place, *anyone that has an estranged wife is automatically inherited a liar.* In the second place, I don't recall telling any wire service that. All you've got to do is read my father's book, Against the Tide. My grandfather was a branded slave. My father was born in a log cabin in Franklin County, Virginia, a family of seventeen. And one thing, you see, that white people especially don't understand, the color is not what you are. Walter White, for instance, the great Secretary of the NAACP, is much more white-looking than I, blue eyes and blond hair. But he was a fighter. Black is a

way of thinking, a way of love, a way you live and a way you act.

MR. AGRONSKY: Mr. Powell, at the University of California campus at Berkeley, you said to the students that violence should be used if necessary by black power advocates. You call on the white students to follow black leaders. Is that correct, sir?

MR. POWELL: Correct.

MR. AGRONSKY: Right. Now, the chief spokesman of the black power movement, men like Stokely——

MR. POWELL: I don't know who that is.

MR. AGRONSKY: —men like Stokely Carmichael——

MR. POWELL: He is?

MR. AGRONSKY: —men like Rap Brown, you would not regard them as chief spokesmen?

MR. POWELL: Spokesmen?

MR. AGRONSKY: Spokesmen.

MR. POWELL: Oh, I thought you said spokesman. I would say Rap and Stokely and Floyd McKissick, those are the three now.

MR. AGRONSKY: Okay. Now, they have expelled the whites from the civil rights movement. How can you call for the whites to follow black leadership and at the same time deny them participation in the civil rights movement?

MR. POWELL: Deny them participation at what level?

MR. AGRONSKY: In any level.

MR. POWELL: No, sir.

MR. AGRONSKY: As followers, advocates, where?

MR. POWELL: Followers, yes.

MR. AGRONSKY: But not as leaders?

MR. POWELL: No sir. That day is gone. The day that a black man is put on the board of the American Jewish Congress or the Federation of Italian Society or the Polish-American Congress, the Sons of St. Patrick, black men on the board of directors, then I will change my position.

MR. AGRONSKY: Well, that is one way of putting it. Let's take however, a——

MR. POWELL: That's the only way of putting it.

MR. AGRONSKY: —let's take a contradiction, perhaps, in your position, what seems to be one, in any case. Throughout your career in the Congress of the United States, in the House of Representatives, you became famous for the Powell amendment——

MR. POWELL: That's correct.

MR. AGRONSKY: —for full intergration, which you added to every piece of legislation that came before the House of Representatives.

MR. POWELL: Correct.

MR. AGRONSKY: Well, if you believe in full intergration, how would you deny whites participation in the civil rights movement?

MR. POWELL: The Powell amendment was not full integration. The Powell amendment was the denial of funds from schools that refused to accept Negro, black boys and girls. That is the Powell amendment. That is the Powell amendment. That is the law now.

MR. POSTON: On this mater of leadership, you told the students at San Diego the other day that, whether they liked it or not, the black people are their leaders.

MR. POWELL: That's correct.

MR. POWELL: That's correct.

MR. POSTON: And you listed——

MR. POWELL: Stokely——

MR. POSTON: —Stokely——

MR. POWELL: —Rap——

MR. POSTON: —Rap——

MR. POWELL: —McKissick——

MR. POSTON: —McKissick——

MR. POWELL: —and the old man of the sea.

MR. POSTON: —and the old man of the sea, Adam Clayton Powell.

MR. POWELL: That's right.

MR. POSTON: Was there an oversight on your part? Are you saying in that that men like Roy Wilkins, Whitney Young, Bayard Rustin, Martin Luther King are not Negro leaders? You didn't list any of those.

MR. POWELL: They are not leaders of the surging, incoming, black masses composed mainly of the young people. Even Martin Luther King came to see me a week ago in Bimini—a week and a half ago—with Bernard, his assistant, and a secretary, and for three days discussed that he believed that it was time for him to change his course of action.

MR. AGRONSKY: To do what?

MR. POWELL: He has already announced that he believes that he is going to—this coming summer—have a strong

social action program that is not going to be as peaceful as it was in the past.

MR. AGRONSKY: Are you advocating violence, Mr. Powell?

MR. POWELL:. I am advocating that if I see my wife or my son, my sister or my mother and father being kicked around, then I am going to do my best to kick around whoever is doing anything to them. That's the violence.

MR. DEAN: But does that answer the question whether you advocate what *Rap Brown and Stokely Carmichael have been advocating, guerrilla-type warfare in the cities of our country?*

MR. POWELL: I do not advocate guerrilla-type warfare but I do advocate self-defense.

MR. DEAN: Well, do you think that the riots in the cities in the past several years have been out of self-defense?

MR. POWELL: No, indeed, because the casualties—you see, I walked through Watts the other day, Charcoal Alley. Forty-eight people were killed there, all Negroes except for two or three Mexican-Americans.

MR. DEAN: Then you disagree with what has taken place in those cities, then, if you don't believe——

MR. POWELL: Oh, I am a pacifist, always have been. I disagree with anything that causes the death of a man. But I totally disagree with the death of black people just without any thought, without any plan. *We had policemen in Harlem, for instance, use live ammunition without first trying teargas in the last riot we had. That is inexcusable.*

MR. AGRONSKY: Mr. Powell, are you suggesting that the—what ones might call the white power structure, the admin-

istration, for example, in Washington, the municipal administrations in various cities where we've had racist problems, are dedicated to the principle of keeping down the black people, that they are turning on—that they are precipitating this violence, that in every instance it is their fault?

MR. POWELL: All right, now the White House just concluded a conference of top police people in Washington, teaching them new methods to cope with the riots. Why couldn't they have had a conference of grass root black men and black women, to teach them how to better themselves and get the jobs they need? That is number one.

MR. AGRONSKY: Well, they are trying that all the time.

MR. POSTON: Wasn't there a White House conference——

MR. POWELL: No, no, no, no. I was the author, of my committee, of the Manpower Development Training Act, and the poverty bill, and those gradually became—lost the thrust, that you know as well as I do that the poverty program is a flop.

MR. AGRONSKY: Well, you know as well as I do that the President of the United States, Mr. Johnson, never wanted it to be a flop, that he sought——

MR. POWELL: That's correct.

MR. AGRONSKY: —to get it through the House of Representatives.

MR. POWELL: That's correct.

MR. AGRONSKY: —and couldn't.

MR. POWELL: What did you say?

MR. AGRONSKY: Well, certainly he sought to get what he needed in the poverty program——

MR. POWELL: Yes.

MR. AGRONSKY: —through the House and the Senate——

MR. POWELL: Yes.

MR. AGRONSKY: —and couldn't.

MR. POWELL: Well, he got it under me.

MR. AGRONSKY: Well, the point I'm making is that the administration—and I would say that Mr. Johnson has demonstrated it—this is not in terms of defending the President but responding to your point that the white power structure, in effect, doesn't care—has done everything it can to advance the cause of civil rights programs. You certainly would give the President that.

MR. POWELL: Civil rights doesn't mean anything. That is one thing every white man hangs his hat on.

MR. AGRONSKY: Well, let's talk about the poverty program——

MR. POWELL: Civil rights doesn't mean anything.

MR. AGRONSKY: —and the economic——

MR. POWELL: All right.

MR. POSTON: What do you mean, "civil rights doesn't mean anything"?

MR. POWELL: All right. What does civil rights mean in the North, Ted?

MR. POSTON: I'm asking the question.

MR. POWELL: All right, I'm answering you. The Civil Rights Act, for instance, is an act to do away with de jure segregation, but in the North it is de facto. It doesn't——

MR. POSTON: You're talking about civil rights law. I mean civil rights themselves.

MR. POWELL: Oh. Oh, I agree. We haven't gotten to that in our legislative history yet, real civil rights and real human rights.

MR. DEAN: You have condemned Congress for failing to live up to the promise of the Great Society, but don't you agree with what many observers say, that Congress is simply reacting to the riots in the streets of Negro communities by becoming more fiscally conservative as far as antipoverty programs are concerned?

MR. POWELL: Well, that is what they've done and all they are doing is opening up a Pandora's box and they think they've won a victory by doing that. It is going to be a big victory because the more you keep the black man and black woman, especially the young men and young women, in the ghetto and keep them socially ostracized, economically exploited and miseducated and politically disfranchised, the more trouble you are going to get in the United States of America.

MR. POSTON: But to come back——

MR. POWELL: And nobody can stop it.

MR. POSTON: To come back to you for a minute——

MR. POWELL: Armored cars, for instance, now.

MR. POSTON: Let me come back to you and your particular case. Representative *John Conyers,* of Detroit, has appeared to be one of the most ardent supporters for your reinstatement.

MR. POWELL: Yes.

MR. POSTON: He put out a minority report, he opposed your expulsion. He opposed your loss of chairmanship and the $40,000 fine. *Yet, when the Detroit riots occurred and he was beaten and his office was burned, you said, "No wonder he was hit by a rock, no wonder black people burned his office. He was a black Judas."* Why?

MR. POWELL: All right. Number one, Conyers has been very clever. He puts out a minority report but he voted for the report. He gets five minutes in the course of the debate on one named Adam Powell and he devotes three minutes of it praising Claude Pepper for being a great man. *Claude Pepper was one of the number one racists on Manny Celler's committee against me.* He's being very clever. But, you see, the man in the street knows the story, baby, even though the press may not tell him. He knows the story. Why would they have done that to him?

MR. DEAN: A number of Negroes have threatened to close down the Democratic National Convention in Chicago this summer. Will you be there to join with them? Do you agree that this is perhaps a proper way of advancing the cause of what Negroes want for themselves?

MR. POWELL: I don't know whether I am going to go to either of the conventions.

MR. DEAN: But do you agree with——

MR. POWELL: But I do say that there should be no demonstrations at either convention unless they are positive demonstrations with specific goals spelled out.

MR. AGRONSKY: Well, then, are you against the proposal to close down the Democratic Convention?

MR. POWELL: I am against the proposal until they have specific goals spelled out.

MR. AGRONSKY: Well, they have not spelled out those specific goals.

MR. POWELL: All right. For instance, I would say the Mississippi delegation of black people should be seated and not the whites.

MR. DEAN: Dick Gregory says unless the City of Chicago passes an open housing law, that, at the risk of his life, there will be no convention in Chicago.

MR. POWELL: Well, that is his personal opinion. That is his personal dedication. That is his personal conscience.

MR. AGRONSKY: Well, does it make sense to you? Would you advocate that kind of policy?

MR. POWELL: I would not advocate in those terms but I—you see, the breaking point has come, there is no longer any more room in the timetable of the forward march of black people for gradualism, for the old shibboleth "education is what we need." The breaking point has come and it is, they say, now. We're dieing in Vietnam and why should we not die in the streets of America, if necessary.

MR. AGRONSKY: Okay. You say now and you ask that question. Do you recommend people go out and attempt to overthrow this government by force and violence? Is that what you're talking about?

MR. POWELL: Not overthrow the government.

MR. AGRONSKY: What do you mean?

MR. POWELL: I recommend that if you have been slapped on the cheek twice, as Jesus once said, and you're not getting anywhere with your peaceful negotiation, then you've got to go ahead and do what you can do by other methods, whatever they may be, to get what you want.

MR. AGRONSKY: To use your analogy, do you feel that the slapping on the cheek has taken place twice already and that the time has come to undertake the other methods?

MR. POWELL: I say it has taken place, 300 years of slavery, 100 years of quasi freedom—yes, it has taken place 400 years now.

MR. AGRONSKY: Well, let's not shilly-shally, let's get down to what you're really talking about, the nitty-gritty, if you like.

MR. POWELL: Yes, let's go.

MR. AGRONSKY: Are you telling people that the time has come in this country to go into the streets and to get what they seek by violence, that they no longer should wait?

MR. POWELL: I'm telling them the time has come for the administration in Washington and everywhere else to stop fooling around with these programs, stop paying huge salaries on the poverty program, get rid of Sarge Shriver or let him resign from the Peace Corps, the poverty program needs one person to direct it, and get down into the poverty areas and let the poor—let the poor administer their programs.

MR. AGRONSKY: But when you say——

MR. DEAN: I think Martin's point was, earlier in the broadcast you said violence as a very last resort——

MR. POWELL: Correct.

MR. DEAN: —and self-defense. A moment ago you said that perhaps the Negroes had been slapped twice, as long ago as 300 years——

MR. POWELL: Correct.

MR. DEAN: —indicating that perhaps you do advocate violence now.

MR. POWELL: I do not advocate violence and never will, but I understand it when it happens. I understood it in Watts the other day when I talked to the people there, the grass roots people. Nothing has happened in Watts . . . except a picnic. The jobs haven't been obtained. The manpower development training has not gone in there en masse to train these young teenagers that practically tore me apart when I walked down the streets the other day. In other words, these programs are not getting down to the

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poor black or white. You know, we have 1,500,000 white families in Appalachia—white families—making $1,000 a year or less?

MR. AGRONSKY: What is your point? Would you have them go into the streets?

MR. POWELL: Them go in the streets? No. My point is that the administration should have the proper people in charge to get down with them and get these programs into the hands of poor people.

MR. AGRONSKY: Well, is your point also that the administration isn't trying that, that they've ignored the problem, that they are not aware of it? Are you the only one who knows about it and is trying to do anything about it?

MR. POWELL: Oh, you know that is not true. Everybody looking at that program today knows that.

MR. AGRONSKY: Yes, but that is what you're indicating. I know it is not true and you know it is not true.

MR. POWELL: All right, then. Why aren't they doing it, then? You can't blame it on Washington. *Edith Green's new phony amendment*—the program has gone to pieces.

MR. AGRONSKY: Well, they must do it within the fabric of the system that we have to do these things.

MR. POWELL: Under Edith Green's amendment, which was carried the other day, the program has gone to pieces. This now has given the controls to the local counties and cities. Can you imagine black people in Mississippi getting a fair break, which they didn't get before, now the control is in the hands of Mississippi?

MR. DEAN: Isn't this what people back in Harlem are saying when they urge you to come back, settle your score so that you can get back to Washington and do——

MR. POWELL: I can't—you want me to go to prison for three months *for an indecent, obscene, illegal, unilateral order by one named Matthew Levy?*

MR. DEAN: Well, certainly some arrangement should be made to keep your congressional——

MR. AGRONSKY: That has nothing to do with it.

MR. POWELL: It has a lot to do with it.

MR. AGRONSKY: No. Let's talk——

MR. POWELL: *I would go to prison for three months for a cause but not for an obscenity.*

MR. AGRONSKY: But you're turning it to a different point.

MR. POWELL: I am not turning to a different point.

MR. AGRONSKY: What we're talking about is you're going——

MR. POWELL: You may be thinking differently but I am not turning to a different point.

MR. AGRONSKY: We were talking about you're going back to the House of Representatives. We're not asking——

MR. POWELL: I am not going back and accepting the low man on the totem pole.

MR. AGRONSKY: Well, that's different.

MR. POWELL: That's correct. But, you see—

MR. AGRONSKY: You're not now talking about an obscenity or three months in prison.

MR. POWELL: That's right.

MR. AGRONSKY: I want to make that clear.

MR. POWELL: All right.

MR. POSTON: But, Mr. Powell——

MR. POWELL: And I want to know when the courts are going to stop filibustering on democracy.

MR. POSTON: Looking at the court case, if——

MR. POWELL: Which one, now? Which one? There are three.

MR. POSTON: Well, I was speaking about your suit for reinstatment.

MR. POWELL: Suit for reinstatement.

MR. POSTON: If they fight on up to the Supreme Court——

MR. POWELL: Yes.

MR. POSTON: —should be turned back——

MR. POWELL: Yes.

MR. POSTON: —and you would decide, maybe, eventually, that you wouldn't return to Congress——

MR. POWELL: Yes.

MR. POSTON: —who, among the hopefuls that are springing up so rapidly in Harlem, would you support as the best man to replace you?

MR. POWELL: I don't know yet.

MR. AGRONSKY: Would you accept that someone should replace you under those circumstances?

MR. POWELL: If the Supreme Court says no and the Supreme Court therefore has relegated themselves to a second-class position in the tripartite system we have of government, then I say sorry about that, baby, you're finished. Now I want to rest the rest of my life.

MR. DEAN: On another topic, Mr. Powell, the most militant of the young Negro leaders have urged young Negroes not to submit to the draft. Do you subscribe to this?

MR. POWELL: That is a matter of conscience. I am a pacifist always have been a pacifist. And if I was of draft age now I wouldn't submit to it.

MR. POSTON: Just one other thing, Mr. Powell——

MR. AGRONSKY: Would you say that it should be matter of conscience rather than a matter of color, I mean let's put it that clear?

MR. POWELL: Conscience. Conscience.

MR. AGRONSKY: It should not be an appeal to Negroes not not to register, an appeal to those who are against whatever the policy is.

MR. POSTON: Just one other quick question.

MR. POWELL: It's just that we have Negro leaders that the white people don't have. White young people do have leaders like Dr. Spock and my good friend, young Sloan Coffin, Jr., who were indicted by a federal grand jury because they believed moral law was greater than any law.

MR. POSTON: Mr. Powell, just this.

MR. POWELL: Yes.

MR. POSTON: Recently SNCC, which you've praised on this program, put out a newsletter in which they assailed Israel and the Jews in the June war and also accused the Israelis of practicing genocide. Do you share this view?

MR. POWELL: No, indeed, I do not share the attack of any of the minority because the attack of any minority eventually will revert upon me.

MR. AGRONSKY: Mr. Powell, I regret we have run out of time. Thank you very much for being here to FACE THE NATION.

ANNOUNCER: Today on FACE THE NATION, New York Congressman-Elect, Adam Clayton Powell, Jr., was interviewed by CBS News Correspondent Morton Dean, and Ted Poston of the New York Post. CBS News Correspondent Martin Agronsky led the questioning. Next week, another prominent figure in the news will FACE THE NATION. FACE THE NATION was recorded on Saturday at Station KPIX, in San Francisco.

Commission's Summary of Programs Attached to the Commission's Ruling in *Times-Mirror Broadcasting Co.*, 24 Pike & Fischer, R. R. 404, 409-412 (1962)

August 27, 1962

DUGGAN—stated that the Democrats have cried "smear" over everything Nixon has said but now it was Nixon's turn. "It is an amazing thing how much mud the Democrats have thrown."

With respect to a labor convention held at Long Beach, California, Duggan stated that Brown had called Nixon a "coward" for not attending when Brown knew that Nixon could not have attended even if he so desired.

With respect to the Birch Society, Duggan stated that: "why don't they [the Democrats] keep the Communists out of their party"?

PUTNAM—stated that George Miller, a Democratic State Senator, was quoted as saying "at best we have no more than thirty-five Communists in California's Democratic organization".

With respect to the Hughes loan from the Hughes Tool Company to Mr. Donald Nixon, Duggan quoted a Nixon spokesman who stated that "this is old, very tired and unproductive Brown and if this is all Brown and his henchmen have to talk about they are in serious trouble".

With respect to certain automobile bumper strips which apparently read "is Brown pink?", Putnam quoted a Republican spokesman who stated "I can't recall anyone ever asking Dick Nixon if he is pink."

September 1, 1962

DUGGAN—devoted a substantial amount of time (about three pages of a single spaced typewritten script) to the Institute of Pacific Relations. Duggan stated that the Institute is headed by Frederick V. Fields, whom Duggan

calls "a known Commie" and Owen Lattimore, whom Duggan considers a leading member of the Communist conspiracy. After attacking the Institute at great length, and attacking those organizations (such as Time-Life, Inc., Rockefeller Foundation, etc.) and persons who support the Institute, Duggan stated that anyone who supported the Institute or who held stock in a corporation that supported the Institute, was selling out the United States. Duggan stated that the Institute is in part responsible for the image that Nixon is a man who can't be trusted and that the Institute has smeared Nixon's character.

September 4, 1962

DUGGAN—interviewed John Rousselot, Member of Congress, concerning the connection between the Americans for Democratic action and Governor Brown, and Stanley Mosk, the Attorney General of California. During the interview it was stated that ADA "pulls the string on Brown and Mosk".

September 5, 1962

DUGGAN—states he is supporting Nixon and refers to Brown as the "portly, panting Governor".

September 7, 1962

DUGGAN—supports Nixon on loan from the Hughes Tool Company to his brother. States that the loan is "only used as a smear" against Nixon.

September 8, 1962

DUGGAN—conducts interview with telephone callers. In answer to question whether Governor Brown is a native Californian, Duggan stated that he was, which "just shows

you that lots of things can happen in California". Duggan further stated that "if he's got some sort of program I wish he'd tell us about it, instead of mentioning Nixon constantly and what Nixon is doing to him". Finally, Duggan stated that Nixon is attacked for what others can get away with.

September 10, 1962

DUGGAN—interviewed an alleged former member of the Communist Party of the United States who spoke of alleged Communist infiltration of the California Democratic Clubs. The interviewee stated that he attended meetings of the Communist Party where infiltration tactics were discussed and that infiltration had been accomplished.

September 11, 1962

DUGGAN—implies strongly that California Democrats are un-American and that their views are "foreign".

September 13, 1962

DUGGAN—"he [Brown] has a nice record. He's never been in jail."

September 15, 1962

DUGGAN—discussing Harry S. Truman's campaign visit to California, states that Truman, in his remarks about Nixon, has behaved like a spoiled brat and a poolroom thug. Duggan sees this as a reflection of the Democrats' wish to see Nixon destroyed. Duggan says the reason for this feeling is: "because the longer he stays in public life—and God help the liberals if he is ever elected President—because then perhaps we will have some investigations that will show them for what they are". He implied that Nixon was the only candiate concerned with preserving the Constitution, institutions and sovereignty of the United States.

September 17, 1962

DUGGAN—quotes an article printed in the Citizen's United Press, Inc. This article, ostensibly signed by three former undercover agents for the FBI, attests to the fact that they have personal knowledge of members of the Communist Party as well as those furthering Communist causes actually joining and acting as officers, delegates and members of the California Democratic Council. Duggan names several persons who have acted as agents for the FBI and says "they [the Democrats] can go to these persons—who can identify—have identified the various members of the Democratic Council as members of the Communist Party . . . and that's a definate testimony that they have infiltrated the California Democratic Council". He states that it seems every time Nixon criticizes the Democrats they yell "smear". As an example of this, he cites the reaction of the Democratic Party to Nixon's comments on the California Democratic Council Convention and its rejection of a bill, brought up at the Convention, which "would kick the Communists" out of the party.

September 20, 1962

DUGGAN—comments that Brown is mad at Nixon because of Nixon's treatment of Helen Gahagan Douglas. He states that if Mrs. Douglas was not soft on Communism she was ignorant of it and that ". . . she wasn't really capable of holding the office for which she was aspiring". He then states that Brown, as Attorney General of the state, issued a pamphlet intended to be a guide for all peace officers in the state on race relations. Duggan says that the bibliography for this guide contained a large number of works by "Communists, fellow travelers, pro-Communists . . . wild eyed liberals". States that Brown was either soft on Communism when he issued the pamphlet or couldn't spell Communism.

Concludes by saying "he is one of the greatest ignoramuses on Communism that ever lived or he is soft on it". During the program; Duggan quoted State Assemblyman Louis Francis as saying "the Governor's position is not surprising in view of his background of apathy and unconcern about Communism and subversion".

September 21, 1962

DUGGAN—quoted Nixon as saying "I want the government to take less from the people so that the people will have more to spend on themselves". Then deprecates Brown's response which sets forth the reasons for taxation. Concludes by stating that if Brown is elected the state will require additional mental health clinics.

September 22, 1962

DUGGAN—quoting Nixon's attitude toward Brown's feelings on subversives states: "Nixon feels Brown wouldn't know a subversive if one came up and bit him". States that during Brown's four years as Governor some ". . . highly questionable people that have been—refused to answer questions before an investigating committee on Communism . . .": have given speeches on University campuses.

September 24, 1962

DUGGAN—commenting on Brown's requests for federal aid in dealing with the California crime problem and Mayor Yorty's conference with Robert Kennedy on the Moslems in Los Angeles, Duggan wanted to know what Brown and the others had been elected for if they were going to go whining to Washington for help. He notes that a group had been formed to run Adlai Stevenson for Governor. He asks what it would be like with Stevenson as Governor and

answers the question by stating that it could be another Cuba.

September 25, 1962

DUGGAN—states that the California Democratic Party is not really a Democratic party. It should be more properly called a liberal party. He compares it to the Illinois Democratic Party and says although that state party was not so "holy" at least it wasn't international minded. He states that the CDC group in California is actually an Adlai Stevenson group and this was demonstrated by the fact that half the California delegation to the Democratic National Convention voted for Stevenson.

October 1, 1962

Concerning Richard Nixon's remark that State Assemblyman Burton was present at the San Francisco riots, a charge which Burton denied, Duggan stated that he believed Burton was present at the riot and that Brown had stated that Burton's work in the Legislature was excellent. "He was for the sick and the lame and the lazy and he likes 'em." And "if Burton says he wasn't there, why, we'll have to find out who was".

October 3, 1962

DUGGAN—states that he is presenting a member of the State and County Democratic Parties in order to maintain a non-partisan position. The Democrat was a Mr. Robert Kiberhall. Upon being questioned, Mr. Kiberhall stated that he was critical of Brown's attitude toward the Mexican-American community in California because, despite the fact that this group has been loyal to the Democratic Party, Brown had appointed only 22 Mexican-Amer-

icans to positions in the state government. Mr. Kiberhall stated that he is urging the Mexican-American community in his district to abstain from voting for Pat Brown although he is asking them to support every other Democratic candidate.

October 8, 1962

Commenting on the ACLU'S position with respect to the release of General Walker from a Federal Hospital, Duggan says that it is amazing how Pemberton (John Pemberton, Jr., Executive Director of the ACLU and a Republican), Pat Brown and the CDC and others can equate the John Birch Society with Communism or fascism.

U. S. GOVERNMENT PRINTING OFFICE : 1969 O - 332-498